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Enactments in Parliament

Volume II

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PUBLISHER TO THE UNIVERSITY OF OXFORD
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Enactments in Parliament

 specially concerning the
Universities of Oxford and Cambridge
 the Colleges and Halls therein and
 the Colleges of Winchester
 Eton & Westminster

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IN FOUR VOLUMES

 Volume II
I George I—II George IV

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ENACTMENTS IN PARLIAMENT

1° GEO. I. Sess. 2. CAP. XIII.

An Act for the further Security of His Majesties Person and Government, and the Succession of the Crown in the Heirs of the late Princess *Sophia*, being Protestants; and for Extinguishing the Hopes of the Pretended Prince of *Wales*, and his Open and Secret Abettors.¹

A.D.
1714-16.

[Section 1 requires all persons therein enumerated including 'all Ecclesiastical Persons, Heads or Governors, of what Denomination soever, and all other Members of Colleges and Halls in any University, that are or shall be of the Foundation, or that do or shall enjoy any Exhibition, (being of the Age of Eighteen Years) and all Persons Teaching or Reading to Pupils in any University, or elsewhere, and all Schoolmasters and Ushers' to take and subscribe the oaths of allegiance, supremacy and abjuration as follows either in one of the Courts in London during Michaelmas Term next ensuing, or at Quarter Sessions before the 23rd of January then next.]

I *A. B.* do sincerely Promise and Swear, That I will be Faithful, and bear true Allegiance to His Majesty King *George*:
So help me God.

¹ As to the oaths of allegiance and supremacy see 1 W. & M. [1 W. & M. Sess. 1., Ruff.] c. 8 (*supra*) and 1 W. & M. Sess. 2. c. 2 (*supra*), and as to the oath of abjuration see 13 & 14 [13., Ruff.] Will. 3. c. 6 (*supra*) and Acts cited in note thereto. The three forms prescribed by this Act remained unaltered except for the changes in the oath of abjuration made on the death of the elder Pretender by 6 Geo. 3. c. 53 (*infra*), till their combination into one oath by 21 & 22 Vict. c. 48 (*infra*). A shorter form was substituted by 30 & 31 Vict. c. 75 (*infra*); and this was abrogated as regards the Universities by 31 & 32 Vict. c. 72 (*infra*).

A. D.
1714-16.

I *A. B.* do Swear, That I do from my Heart Abhor, Detest, and Abjure, as Impious and Heretical, that Damnable Doctrine and Position, That Princes Excommunicated or Deprived by the Pope, or any Authority of the See of *Rome*, may be Deposed or Murthered by their Subjects, or any other whatsoever. And I do Declare, That no Foreign Prince, Person, Prelate, State, or Potentate, hath, or ought to have any Jurisdiction, Power, Superiority, Preeminence, or Authority, Ecclesiastical or Spiritual, within this Realm : *So help me God.*

I *A. B.* do truly and sincerely Acknowledge, Profess, Testifie, and Declare in my Conscience, before God and the World, That our Sovereign Lord King *George* is Lawful and Rightful King of this Realm, and all other His Majesties Dominions and Countries thereunto belonging. And I do solemnly and sincerely Declare, That I do believe in my Conscience, that the Person pretended to be Prince of *Wales*, during the Life of the late King *James*, and since his Decease, pretending to be, and taking upon himself the Stile and Title of King of *England*, by the Name of *James* the Third, or of *Scotland*, by the Name of *James* the Eighth, or the Stile and Title of King of *Great Britain*, hath not any Right or Title whatsoever to the Crown of this Realm, or any other the Dominions thereto belonging : And I do Renounce, Refuse, and Abjure any Allegiance or Obedience to him. And I do Swear, That I will bear Faith and true Allegiance to His Majesty King *George*, and Him will Defend, to the utmost of my Power, against all Traiterous Conspiracies and Attempts whatsoever, which shall be made against His Person, Crown, or Dignity. And I will do my utmost Endeavour to Disclose and make Known to His Majesty, and His Successors, all Treasons and Traiterous Conspiracies which I shall know to be against Him, or any of Them. And I do faithfully Promise, to the utmost of my Power, to Support, Maintain, and Defend the Succession of the Crown against him the said *James*, and all other Persons whatsoever ; which Succession,

by an Act, Intituled, *An Act for the further Limitation of the Crown, and better Securing the Rights and Liberties of the Subject*, is and stands Limited to the Princess *Sophia*, Electoress and Dutchess Dowager of *Hanover*, and the Heirs of Her Body, being Protestants. And all these things I do Plainly and Sincerely Acknowledge and Swear, according to these Express Words by me spoken, and according to the Plain and Common Sense and Understanding of the same Words, without any Equivocation, Mental Evasion, or Secret Reservation whatsoever. And I do make this Recognition, Acknowledgment, Abjuration, Renunciation, and Promise, Heartily, Willingly and Truly, upon the true Faith of a Christian :

So help me God.

And be it further Enacted by the Authority aforesaid, That all and every Person and Persons that shall be Admitted, Entred, Placed, or Taken, into any Office or Offices, Civil or Military, . . . and all Ecclesiastical Persons, Heads or Governors, of what Denomination soever, and all other Members of Colleges and Halls in any University, that are or shall be of the Foundation, or that do or shall enjoy any Exhibition, being of, or as soon as they shall attain the Age of Eighteen Years, and all Persons Teaching or Reading to Pupils in any University, or elsewhere, . . . within that Part of *Great Britain* called *England*, who shall, at any time after the Tenth Day of *August*, One thousand seven hundred and fifteen, be Admitted into, or Enter upon any of the before mentioned Preferments, Benefices, Offices, or Places, or shall come into any such Capacity, or shall take upon him or them any such Practice, Employment, or Business, as aforesaid, shall, within Three Months¹ after he or they shall be Admitted into, or Enter upon any such Preferment, Benefice, Office, or Place, or come into such Capacity, or take upon him or them such

A. D.
1714-16.

II.
All Persons admitted into any Office, &c. shall within three Months take the same Oath at Westminster or Sessions of the County where they reside.

¹ By 9 Geo. 2. c. 26. s. 3 the time for taking the Oaths is appointed to be 'within Six Kalendar Months' after admission. Acts of Indemnity were however passed at intervals, and for more than a century down to and including 1867 annually, relieving from the consequences of omission to take the oaths in due time. The last of the annual Acts was 30 & 31 Vict. c. 88.

A. D.
1714-16.

Practice, Imployment, or Business, as aforesaid, Take and Subscribe the same Oaths in One of the said Courts at *Westminster*, or at the General Quarter-Sessions of the County, City, or Place, where he or they shall Reside.

XII.
Heads, &c.
of Colleges,
&c. in
Oxford
and Cam-
bridge, not
taking the
Oaths, and
the Person
in whom
the Right
of Election
is, not
electing
some
proper Per-
son in his
Place, the
King may
nominate,
&c.

And be it further Enacted by the Authority aforesaid, That if any Head or Member of any College or Hall within either of the Universities of *Oxford* or *Cambridge*, that are or shall be of the Foundation, or that do or shall Enjoy any Exhibition, being of (or as soon as he shall attain) the Age of Eighteen Years, shall neglect or refuse to Take and Subscribe the several Oaths in this Act mentioned, according to the true intent and meaning of this Act, or to produce a Certificate thereof, under the Hand of some Proper Officer of the respective Court, and cause the same to be Entred in the Register of such College or Hall within One Month after his having Taken and Subscribed the said Oaths; And if the Persons in whom the Right of Election of such Head or Member shall be, do neglect or refuse to Elect some other fitting or proper Person, in the place or stead of such Head or Member so neglecting and refusing to Take and Subscribe the said Oaths, as aforesaid, by the space of Twelve Months after such Neglect or Refusal, That then, and from thenceforth, it shall and may be Lawful unto and for the Kings most Excellent Majesty, His Heirs and Successors, under the Great Seal or Sign Manual, to Nominate and Appoint some fitting Person, Qualified according to the Local Statutes of such College or Hall, to Succeed to the Place of such Person who shall neglect or refuse to Take and Subscribe the said Oaths; and that every Person so to be Nominated and Appointed, shall have and enjoy such Place, to which he shall be Nominated and Appointed, as aforesaid, to all Intents and Purposes whatsoever, and all Benefits, Privileges and Advantages to the same belonging and appertaining, as if such Person had been Elected and Chosen by the proper Electors of such College or Hall.

XIII.

And be it further Enacted by the Authority aforesaid,

That if the Head of any College or Hall in either of the Universities, or other Person or Persons Lawfully Authorized to Admit, shall refuse or neglect to Admit such Persons, so Nominated and Appointed under the Great Seal or Sign Manual, as aforesaid, by the space of Ten Days after such Admission shall be demanded of him or them, who ought to make such Admission, to such Place as he shall be Nominated to, as aforesaid, That then and in such case the Local Visitor or Visitors of such College or Hall is hereby Authorized and Required to Admit and Place such Person so Nominated and Appointed, to such Place as he shall be Nominated to, as aforesaid, within the space of One Month after the same shall be demanded of such Visitor; and in case such Visitor shall neglect or refuse to Admit, as aforesaid, during the space of One Month after the same is Lawfully Demanded of such Visitor, That then it shall and may be Lawful to and for the Court of Kings-Bench at *Westminster* to Issue out a Writ of *Mandamus* to be directed to such Visitor or Visitors, to Admit such Person to such Place, and to proceed upon the said Writ, according to the Course of the said Court in such Cases.

A. D.
1714-16.
The King's Bench may issue a *Mandamus* to compel the Admission of a Person so named.

1^o GEO. I. Sess. 2. Cap. 5.

An Act for vesting in the Warden and College of *All-Souls* in *Oxford*, and their Successors, certain Houses and Ground belonging to the Parish of *St. Mary* in *Oxford*.¹ A. D. 1714.

[The preamble recites that Henry White Esquire Mayor of the City of Oxford Robert Say D.D. Provost of Oriel College and others, parishioners and surviving Feoffees of the parish of *St. Mary the Virgin* in the City of Oxford being seized in Fee simple of the messuages lands &c. thereafter mentioned in trust for

¹ The title of this Act is taken from the table on the roll as printed by the King's Printers. The Act itself is not on the roll, and the extracts here printed have been copied from the original Act (No. 12) preserved at the House of Lords.

A. D.
1714-16.

the Church and poor of the said parish by indenture of lease of the 22nd of October 1691 demised to John West of Kidlington on the Green, Esquire,]

ALL that Messuage or Tenement and Houses Edifices Buildings Stables Backsides and appurtenances whatsoever thereunto adjoyning or belonging Scituate lying and being in Cattstreet within the said Parish of Saint Mary on the Eastside of the same street and abutting Northward upon Hart Hall backside or Garden there and Southward upon a Tenement then in the tenure of Sarah Fulks Spinster and Eastward upon an Orchard or Garden belonging to the Warden and Schollars of All Souls College in Oxford

[for the term of forty years from Michaelmas day next ensuing at a yearly rent of £4.

that John West's interest in the lease became vested in William Gallaway, clerk, subject to a mortgage to Thomas Bradford for £450.

that William Gallaway by articles made upon his marriage with Frances second daughter of Sir Robert Legard Master in Chancery dated the 4th of August 1702 agreed that the lease should be assigned to John Legard and Samuel Barker and covenanted to renew the same from time to time; and that the lease was on the 26th of the same month reconveyed by Thomas Bradford to John Legard and Samuel Barker to be held upon the trusts of the marriage articles the amount due on the mortgage being paid by Sir Robert Legard.

The preamble further recites that George Carter D.D. Provost of Oriel College the said Henry White John Crossley John Prickett and William Ryley parishioners and surviving feoffees of the said parish by indenture of lease of the 20th of January 1712 demised to the Worshipfull Bernard Gardiner D.C.L. Warden and the College of the Souls of all faithfull people deceased of Oxford]

All that their Messuage or Tenement with a Backside thereunto adjoyning Scituate and being in Cattstreet in the said Parish of Saint Mary the Virgin within the City of

Oxford then in the tenure or occupation of Charles Thurwell together with all Wayes Easements Cellars Sollars Shops Profits and Commoditys whatsoever thereunto belonging used or appertaining

A.D.
1714-16.

[for the term of forty years from Michaelmas day last past at the yearly rent of twenty shillings.

that the said George Carter Henry White and others surviving feoffees of the said parish by one other indenture of lease of the 20th of January 1712 demised to the said Warden and College for the same term and at the like rent]

ALL that their Orchard commonly called the Parish Orchard Sett lying and being in the Parish of Saint Mary the Virgin aforesaid as the same was then mounded with a Stone Wall containing in Length from the Garden of the Warden of New Colledge on the East to an Alley leading from Cattstreet to the said Orchard on the West forty four Yards and in breadth at the West end from the Garden of the Principall of Hart Hall on the North and the Garden of the said Warden and Colledge on the South Seventeen Yards and three quarters of a Yard at the East End from the Stable Yard of New College to the Garden of the said Warden and College eleven Yards and an halfe and in Breadth about the middle Seventeen Yards and an half

[that the leases of the said demised premisses have been usually surrendered every fourteen years and fines paid on the renewal of the same.

that the Warden and College have agreed with William Gallaway and Frances his wife and Sir Robert Legard for the purchase of their interest in the premisses demised to John West for £395; and have also agreed with the surviving feoffees of St. Mary's parish for the purchase of the inheritance of the premisses demised to the Warden and College by the said last mentioned leases and each of them subject to the several annual rents yearly payments and other reservations therein-after mentioned.

A.D.
1714-16.

that several other yearly old rents above the £6 there-
after mentioned amounting together to the sum of
twenty three shillings are also due and payable by the
said Warden and College and their successors unto or
for the use of the said parish.

and that 'a good Firme effectuall and indefeazable title
to the said demised Premisses' cannot be made with-
out the aid of an Act of Parliament.

Section 1 then proceeds to enact that the premisses
contained in the said lease to John West and the said
two leases to the College 'shall be and the same are
hereby vested estated and setled in the said Bernard
Gardiner the Warden and the said College of the Souls
of all faithfull people deceased of Oxford and their
Successors forever', subject to the yearly payment of
£6 by equal portions at Michaelmas and Lady Day to
the feoffees of St. Mary's parish in the porch of the
said parish church and of ten shillings at Lady Day to
the Vicar of the parish, and subject also to the pay-
ment to the feoffees in the porch of the said parish
church of £46 once in every fourteen years on Lady
Day to be computed from Lady Day 1715.

Section 2 gives to the feoffees and to the Vicar powers
to distrain upon the College for the sums made pay-
able to them respectively, or to enter upon and detain
the premisses thereby vested in the Warden and College
until payment of the sums due and costs of recovering
the same.]

III.
The
College to
pay all
Taxes now
or hereafter
imposed
on the
Premises
vested in
them by
the Act.

AND be it further ENACTED by the Authority aforesaid
that the said Warden and College and their Successors
forever shall pay and discharge all Taxes which are or at
any time hereafter shall be imposed upon the Premisses
hereby vested in them by Authority of Parliament.¹

¹ The College paid in respect of these premisses the quota of land tax falling
upon them as part of the parish until 1803, when it claimed exemption on the
ground that the premisses formed part of the site of the College. The case was
tried in the Court of Common Pleas, and judgement was given against the
College on the ground that it had by s. 3 of this Act renounced its exemption.
(*All Souls College, Oxford v. Costar*, 3 B & P. 635.)

See further as to the exemption of College sites from Land Tax, Appendix IV.

[Section 4 enacts that the receipt of Robert Legard and Charles Burd for the said sum of £395 shall be 'a good effectuall and a full discharge' for the same and that the Warden and College shall not be answerable for any loss or misapplication thereof.

A.D.
1714-16.

Section 5 relates to the investment of the said sum of £395 by Robert Legard and Charles Burd.]

PROVIDED And be it ENACTED by the Authority aforesaid That it shall and may be lawfull to and for the Minister and Churchwardens and other the Parishioners of the said Parish upon the Feast day of the Ascension in every Year to enter into the said College by and through a door to be made and continued by the said Warden and College and their Successors on the Westside of the said College and from thence to pass through the said College and to make their perambulation and take in the Bounds and limits of the said Parish by the Way and passage which for that purpose hath been heretofore accustomed on Paine that the said Warden and College for every default or refusall shall pay for the use of the Church of the said Parish the Summ of Five pounds of lawfull money which shall be recovered by the Churchwardens of the said Parish for the time being in such manner as the Severall rents and Summs of money hereinbefore mentioned are directed to be recovered by the said George Carter Henry White John Crossley John Prickett and William Ryley and the Survivors and Survivor of them their heires and assigns.

VI.
The Churchwardens and Parishioners to be admitted into the College annually on Ascension Day to beat the Bounds.

Penalty for Refusal, 5*l*.

[Section 7 is the usual general saving clause.]

6^o GEO. I. *Cap. 31.*

An Act to enable any Corporations within the University of *Cambridge* or any other Persons to sell and convey any Messuages and Grounds to the said University for enlarging their publick Library.¹

A. D.
1719-20.

¹ The title of this Act is taken from the table on the roll as printed by the

A. D.
1719-20.

King's
Benefaction
of Books
and Manu-
scripts to
Cambridge
University.
Public
Library
required.

WHEREAS the Kings most Excellent Majesty has been Graciously pleased for the encouragement of Learning to bestow upon his University of Cambridge a very large and vulluable Collection of Printed Books and Manuscripts as a Peculiar Mark of His Royall Bounty and Favor AND WHEREAS the Chancellor Masters and Schollars of the said University having a just sense of and regard to His Majesties said Bounty are desirous that the said Books and Manuscripts may be kept intire and preserved for the benefit of Posterity and are willing to Erect a Publick Library for Depositing and preserving the same as also to make some other Buildings for keeping and preserving the other Books and Manuscripts belonging to the said University (the present publick Library being not capable of receiving the same) which they conceive will be most proper to be done by purchasing some Houses and Ground adjoyning to their said Publick Library and there being near or adjoyning thereunto Houses and Ground belonging to several Colledges and to the Regius Professor of Physick there who (though they are willing to dispose of the same for enlarging the said Publick Library) Yet by an Act of Parliament passed in the Thirteenth Year of the Reign of Queen Elizabeth (Intitled An Act against frauds defeating Remedies for Dilapidation of Ecclesiastical Livings and for Leases to be granted by Collegiate Churches¹) are restrained from Leasing or Conveying such Houses or any Lands being parcell of the possessions of any Colledge to any person or persons Bodies Politick or Corporate other than for the Term of One and Twenty Years or Three Lives AND WHEREAS by another Act past in the Fourteenth Year of the Reign of Queen Elizabeth (Intitled An Act for the Continuation Explanation Perfecting and Inlarging of divers Statutes²) It is provided and Enacted That no Lease shall be permitted to be made by Force of the said last mentioned Act for longer Term than for Forty Years at the most WHEREFORE That his Majesties King's Printers; the Act itself, which is not on the roll, has been copied from the original Act (No. 61) preserved at the House of Lords.

¹ 13 Eliz. c. 10 (*supra*).

² 14 Eliz. c. 11 (*supra*).

said Bounty may be the more effectually and Conveniently preserved BE it ENACTED by the *Kings most Excellent Majesty* by and with the Advice and Consent of the Lords Spiritual and Temporal and Commons in this present Parliament Assembled and by the authority of the same That it shall and may be Lawfull to and for any Corporation or Corporations Aggregate or Sole or any other Person or Persons to Contract with Sell and Convey to the said Chancellors Masters and Scholars of the said University of Cambridge and their Successors for the time being such Houses and Ground which shall be by them Judged and Deemed Necessary and Convenient for the Enlarging the said Publick Library and other the Purposes aforesaid and for making the Approach thereunto the more Commodious and Beautifull And that all such Contracts Sales and Conveyances which shall be so made for the purposes aforesaid shall be good Valid and effectual in the Law to all Intents and purposes any Restraint Clause matter or thing in the said recited Acts or either of them contained or any other Law or Statute or other matter or thing whatsoever to the contrary thereof in any wise notwithstanding

A.D.
1719-20.
Corporations and other Persons empowered to sell Ground for Site of Library.

PROVIDED and be it ENACTED by the authority aforesaid That the Money arising by such Sale as aforesaid shall be paid to The Reverend William Stanley Doctor in Divinity Dean of Saint Asaph The Reverend Thomas Greene Doctor in Divinity and the Reverend Benjamin Ibbot Doctor in Divinity or the Survivors or Survivor of them and the Executors or Administrators of such Survivor Who or the Survivors or Survivor of them and the Executors or Administrators of such Survivor shall (with the Approbation of the said Corporation or Corporations or Person or Persons Selling or disposing of such Houses and Ground to the said University or their Successors as aforesaid) as soon as Conveniently may be lay out employ and dispose of all the Monies arising by such Sale or Sales in one or more Purchase or Purchases of other Houses Freehold Lands Tenements and Hereditaments in Fee Simple which said Purchase or Purchases shall be made or taken in the

II.
Purchase Money to be paid to Trustees for Reinvestment in Land.

A. D.
1719-20.Interim
Investment.

Name or Names of such Corporations Aggregate or Sole or of such other Person or Persons who shall Sell any Houses or Ground to the said Chancellor Masters and Scholars of the said University which Houses Lands Tenements and Hereditaments when Purchased shall remain and be to the same Use and be to and for the same Intents and purposes and under the same Restrictions as the said Houses and Ground that shall be so sold or disposed of by Virtue or in pursuance of this Act are or were Settled under or lyable to at the time of such Sale as aforesaid and to no other Use Intent Restriction or purpose whatsoever And in the mean time vntil such Purchase or Purchases can be found Upon Trust that the said William Stanley Thomas Green and Benjamin Ibbot or the Survivors or Survivor of them and the Executors or Administrators of such Survivor by and with such Approbation as aforesaid shall and may lend out such Monies as shall arise by such Sale or Sales on Real or Goverment Securities to be made to or taken in the Names of the said Trustees or the Survivors or Survivor of them or the Executors or Administrators of such Survivor which said Trustees shall not be charged or chargeable with or Accountable for any Loss which shall or may happen of the aforesaid Monies or any part thereof so as the same happen without their wilful default nor the one of them for the other or for the Acts or Receipts of the other nor with or for more Monies than they respectively truly and actually shall receive by Vertue of the Trusts aforesaid nor for or by reason of any Defect or Want of Title in any such Houses Lands Tenements or Hereditaments so to be Purchased And that it shall be and may be lawful to and for the said Trustees their Executors or Administrators and every of them in the first place to deduct to themselves respectively out of the said Trusted Monies all such Loss Costs and Charges as they or any of them shall be put to or Sustain for or by reason of the Trusts hereby in them reposed or the Management or Execution thereof Any thing herein contained to the contrary notwithstanding

PROVIDED and be it further ENACTED by the Authority
 aforesaid That the said Chancellor Masters and Scholars
 of the said University of Cambridge or their Successors
 paying their Purchase Money to the said Trustees herein
 before Nominated and Appointed or to the Survivors or
 Survivor of them or to the Executors or Administrators
 of such Survivor and taking a Receipt for such Purchase
 Money shall quietly hold and enjoy the Houses and
 Ground so Purchased for the purposes aforesaid And shall
 not be obliged to see the Application of such purchase
 Money or any part thereof or be further Answerable for
 the same

A. D.
1719-20.

III.
On Pay-
ment of
Purchase
Money
University
to be
entitled to
Ground
bought.

SAVING to the Kings most Excellent Majesty His Heirs
 and Successors and to all and every Person and Persons
 Bodies Politick and Corporate His Her and their Heirs
 Executors Administrators and Successors (other than and
 except such Corporation or Corporations Aggregate or
 Sole or such Person or Persons who shall Sell any Houses
 or Ground pursuant to the true Intent and meaning of
 this Act) All such Estate Right Title Interest Claim and
 Demand either in Law or Equity as they or any of them
 now have or hereafter shall or may have of into or out of
 all or any of the said Houses or Ground so to be Sold or
 any part or parcel thereof as fully and beneficially to all
 Intents and purposes as if this Act had never been made.

IV.
General
Saving.

7^o GEO. I. *Cap. 13.*

An Act to enable any Corporations within the
 University of *Oxford*, or any other Persons, to
 sell and convey any Messuages and Ground
 within the said University, for building a Library,
 pursuant to the Will of *John Radcliffe*, Doctor
 in Physick; and for empowering any Colleges in
 the said University, to sell or convey any Ground

A. D.
1720-1.

A. D.
1720-21.

or Houses to each other, for the Purposes therein mentioned.¹

Dr. Radcliffe's
Bequest for
founding a
Library for
the Uni-
versity of
Oxford.

WHEREAS John Radcliffe Doctor in Physick did by his last Will and Testament in Writing bearing Date the Thirteenth Day of September in the Year of Our Lord One Thousand seven Hundred and Fourteen give and Devise the Sum of Forty Thousand Pounds to be paid by his Executors in the term of ten Years by yearly Payments of four Thousand Pounds the first Payment thereof to begin and be made within One Year after the Decease of his Two Sisters for the building a Library in the University of Oxford and Purchasing the Houses between the Church of Saint Mary and the Schools within the said University where he the said Doctor Radcliffe did intend the said Library to be built and when the same was finished and compleated he the said Doctor Radcliffe did by his said Will give One Hundred and Fifty Pounds per Annum for ever to the Library Keeper thereof for the time being and One Hundred Pounds per Annum for buying Books for the said Library And One Hundred Pounds per Annum for ever to commence Thirty Years after his the said Doctor Radcliffs decease for maintaining and repairing the said Library when built AND WHEREAS several of the Colledges and the Feoffees in Trust of the Parish of Saint Mary the Virgin within the said University are Seized of some of the Houses and ground on which the said Library is intended to be built and being sensible how great an Advantage the said Library will be to the said University are desirous to Sell their said Houses and ground of which they are respectively Seized to perfect and compleat so Noble a Benefaction but by the Laws and Statutes of this Realm are Disabled to grant the Inheritance thereof or any greater Estate therein than for the Term of Forty Years And several Persons to whom some other part of the said Houses

Ground
required
for Site of
Library ;

¹ The title of this Act is taken from the table on the roll as printed by the King's Printers ; the Act itself, which is not on the roll, has been copied from the original Act (No. 32) preserved at the House of Lords.

and ground do belong are incapable of Selling and conveying the same by reason of Infancy and other Disabilities so that unless the said Colledges and Persons so incapacitated are enabled by Authority of Parliament to convey their said several Houses and ground to the Chancellor Masters and Scholars of the said University for the purposes aforesaid the bequest of the said Forty Thousand Pounds for building the said Library will be rendred ineffectual to the great Prejudice of the said University detriment to Learning and discouragement of the like pious and publick benefactions for the future AND WHEREAS since the foundation of several Colledges in the said University the Number of Fellows Scholars and other Members of the same have so considerably increased that it would tend very much to the convenience enlargement and necessary Improvement of the said Colledges if they might be permitted to purchase ground or Houses adjacent to them within the said University or City of Oxford from each other or any other Corporations aggregate or Sole or from other Person or Persons incapable by Law to sell and Dispose of the same May it therefore please *Your most Excellent Majesty* at the humble Petition of the said Chancellor Masters and Scholars of the said University That it may be ENACTED and be it ENACTED by the Kings Most Excellent Majesty by and with the Advice and Consent of the Lords Spiritual and Temporal and Commons in this present Parliament Assembled and by the Authority of the same That it shall and may be lawfull for all and every Colledge and Colledges Corporation and Corporations aggregate or Sole and all and every Feoffees in Trust Executors Administrators Guardians or other Trustees whatsoever for and on the behalf of any Infants Femes Coverts or other Cestui que Trusts and for all and every other Person or Persons whatsoever Bodys Politick and Corporate who are or shall be seized possessed or interested of or in any House or Houses or Land lying or being within the Liberties of the said University to Sell and Convey to the Executors and Trustees

A. D.
 1720-1.

and for
 enlarging
 and improving
 Colleges.

Colleges,
 and Owners
 under
 Disability
 empowered
 to sell
 Ground
 required for
 Site of
 Library.

Cap. 13] *Radcliffe Library. Sites for College* [7 GEO. I
Buildings.

A. D.
1720-1.

The
University
and Col-
leges em-
powered to
exchange
with or
purchase of
each other
or of other
Persons,
whether
under Dis-
ability or
not, Land
and
Buildings
within the
University.

of the said Doctor Radcliffe and the Survivors or Survivor of them and the Heirs of such Survivor to the Uses intents and purposes in the said Will mentioned all such Houses and Ground or such part thereof which shall be by them judged and deemed necessary and convenient for building the said Library and for making the Approach thereunto convenient and beautifull And that it shall and may be lawfull for the Chancellor Masters and Scholars or for any Colledge and Colledges within the said University either to exchange with or to Purchase of each other or of any other Person or Persons whatsoever Bodys Politick or Corporate any Houses or Lands Scituate lying or being within the Liberties of the said University so as such Exchange Sale or Sales Purchase or Purchases to be made by any of the said Colledges be made with the Consent and Approbation of the respective Visitors of the said Colledge or Colledges And that all and every Feoffees in Trust Executors Administrators Guardians or any Trustees whatsoever for or on the behalf of any Infants Femes Coverts or other Cestui que Trusts and for all and every other Person or Persons whatsoever Bodys Politick or Corporate who are or shall be seized possessed or interested of or in any House or Houses or Land lying and being within the Liberties of the said University to Sell and Convey any such Houses or Land to the Chancellor Masters and Scholars of the said University or to any Colledge and Colledges within the same or to the Executors and Trustees of Doctor Radcliffe as aforesaid And that all such Contracts Sales and Conveyances which shall be so made for the Purposes aforesaid shall be good Valid and Effectual in the Law to all Intents and Purposes any Law Statute Usage or other matter or thing whatsoever to the contrary thereof in any wise notwithstanding.¹

¹ Extended powers of alienating tenements in Oxford were conferred on the University and City Corporations by 11 Geo. 3. c. 19. s. 78 (*infra*), repealed by 28 & 29 Vict. c. 108 (*infra*). The powers of sale, exchange, and purchase conferred on the Colleges by this Act appear to be still in force. See 21 & 22 Vict. c. 44. s. 30 (*infra*), and, as to payment of purchase money, 61 & 62 Vict. c. 55. s. 6 (*infra*).

AND be it further ENACTED by the Authority aforesaid That the said Feoffees in Trust Executors Administrators Guardians and Trustees or any Corporation or Corporations Aggregate or Sole or any other Person or Persons are and shall be hereby indemnified for what they shall do by virtue of this Act

A. D.
 1720-1.

II.
 Indemnity
 to Trustees,
 &c.

PROVIDED and be it further ENACTED by the Authority aforesaid that the money arising by such Sale or Sales as aforesaid shall be paid to the Three Regius Professors of Divinity Law and Physick for the time being who or any Two of them shall with the Approbation of the said Feoffees in Trust Executors Administrators Guardians or Trustees Corporation or Corporations or other Person or Persons Selling or Disposeing of such Houses and ground by Virtue of this Act as soon as conveniently may be lay out imploy and dispose of all the Monies Arising by such Sale or Sales in one or more Purchase or Purchases of other Houses Lands Tenements and Hereditaments in Fee Simple which said Purchase or Purchases shall be made or taken in the Name or Names of such Feoffees in Trust Executors Administrators Guardians Trustees Corporation or Corporations Aggregate or Sole or of such other Person or Persons who shall Sell any Houses or ground for the Purposes aforesaid by Virtue of this Act and to the same Use and Uses and to and for the same Intents and Purposes and under the same restrictions as the said Houses and ground that shall be Sold or disposed of by Virtue or in Pursuance of this Act are or were settled limited and Appointed or otherwise lyable to at the time of such Sale or Sales as aforesaid and to no other Use Intent or purpose whatsoever And in the mean time untill such Purchase or Purchases can be found out UPON TRUST that the said Three Regius Professors of Divinity Law and Physick for the time being or any Two of them by and with such Approbation as aforesaid shall and may lend out such Moneys as shall Arise by such Sale or Sales on Publick Funds or other reall Securities to be made or taken in the

III.
 Purchase
 Money to
 be paid to
 Regius
 Professors
 of Divinity,
 Law, and
 Physic on
 Trust for
 Reinvest-
 ment in
 Land,

and for
 interim
 Investment
 in Public
 Funds or
 real
 Securities.

*Cap. 13] Radcliffe Library. Sites for College [7 GEO. 1
Buildings.*

A. D.
1720-1.

Names of the said Three Regius Professors for the time being or any Two of them who shall from time to time pay and Dispose the Interest profit and product thereof to such Person and Persons and to such Uses Intents and purposes as the Rents and Profits of the Lands and Tenements if Purchased would belong or be payable which said Trustees shall not be charged or chargeable with or accountable for any Loss which shall or may happen of the aforesaid Money or any part thereof so put out at Interest so as the same happen by such Consent as aforesaid and without their wilfull Default nor One of them for the other or for the acts or receipts of the other Nor with or for more Moneys than they respectively truly and actually shall receive by Virtue of the Trusts aforesaid nor for or by reason of any Defect or Want of Title in any such Houses Lands Tenements or Hereditaments so to be Purchased with such consent as aforesaid And that it shall and may be lawfull to and for the said Trustees their Heirs Executors or Administrators and every of them in the first place to deduct to themselves respectively out of the Monies in Trust as aforesaid all such losses and reasonable Costs and Charges as they or any or either of them shall be putt unto or Sustain for or by reason of the Trusts hereby in them reposed or the Management or Execution thereof any thing herein contained to the contrary notwithstanding

IV.
On Payment of
Purchase
Money to
Regius
Professors
Purchasers
to be
entitled to
Property
bought.

PROVIDED ALSO and be it further ENACTED by the Authority aforesaid That the said Chancellor Masters and Scholars of the said University of Oxford and their Successors and all such Corporation or Corporations Aggregate of Sole in the said University or their Successors and the said Trustees and Executors of the said Doctor Radcliffe and all other Person or Persons Purchasing by Virtue of this Act on Payment of their Purchase Money to the said Regius Professors or any Two of them herein before Nominated and Appointed and their Successors and taking a receipt for such Purchase Money shall quietly hold and enjoy the

7 GEO. I.] *Radcliffe Library. Sites for College* [Cap. 13
Buildings.

Houses and ground so Purchased for the purposes aforesaid and shall not be Obligated to see the Application of such Purchase Money or any part thereof or be further Answerable for the same

A. D.
 1720-1.

SAVING to the Kings Most Excellent Majesty His Heirs and Successors and to all and every Person or Persons Bodies Politick or Corporate his her and their Heirs Executors Administrators and Successors (other than and Except such Corporation or Corporations Aggregate or Sole Feoffees in Trust or such Person or Persons who shall Sell any Houses or ground Pursuant to the true Intent and meaning of this Act and their respective Heirs and Successors) All such Estate Right Title Interest claim and Demand either in Law or Equity as they or any or either of them now have or hereafter shall or may have of into or out of all or any the said Houses or ground so to be sold or any part thereof as fully and beneficially to all Intents and Purposes as if this Act had never been made.

V.
 General
 Saving.

10^o GEO. I. CAP. xii.

An Act for Repairing the Roads leading from *Stump-Cross*, in the Parish of *Chesterford*, in the County of *Essex*, to *Newmarket Heath*, and the Town of *Cambridge*, in the County of *Cambridge*.

A. D.
 1723-4.

[Section 1 appoints 'the Vice Chancellor of *Cambridge* for the time being' and 'the Mayor of the Town of *Cambridge* for the time being' with other named persons trustees for executing the Act.

Section 16 provides that the Act shall continue for twenty-one years from the 1st of June, 1724, unless the roads have been put into sufficient repair and all expenses and debts paid before the expiration of that term.¹

Section 22 declares the Act to be a public Act.]

¹ This Act was amended by 3 Geo. 2. c. 37 (*infra*), and its term was extended by 15 Geo. 2. c. 16 and 28 Geo. 2. c. 36 successively for twenty-one years from the expiration of the original and extended terms respectively and

11^o GEO. I. CAP. XIV.A. D.
1724-5.

An ACT for Repairing part of the Road from *London* to *Cambridge*, beginning at the End of the Parish of *Foulmire* in the said County, next to *Barley* in the County of *Hertford*, and ending at the Pavement in *Trumpington Street*, in the Town of *Cambridge*.

[Section 1 appoints 'the Vice-Chancellor of *Cambridge* for the Time being, the Mayor of *Cambridge* for the Time being', and other named persons trustees for executing the Act.

Section 19 provides that the toll granted by the Act shall continue for twenty-one years from the 1st of May, 1725, unless the road shall have been repaired and all expenses and debts paid before the expiration of that term.¹

Section 27 declares the Act to be a public Act.]

3^o GEO. II. CAP. XI.A. D.
1729-30.

An Act for reviving and amending an Act made in the Sixth and Seventh Years of the Reign of His late Majesty King *William* the Third [intituled, *An Act to prevent Exactions of the Occupiers of Locks and Wears upon the River of Thames westward, and for ascertaining the Rates of Water-carriage upon the said River.*]

[Section 1 after reciting that the Act 6 & 7 W. & M. c. 16 (*supra*) was found to be useful while it was in force,

from thence to the end of the then next Session of Parliament, and by the general Act 28 Geo. 2. c. 17 for five years further. It was repealed partly by 30 Geo. 3. c. 94 (*infra*) and partly by 33 Geo. 3. c. 130 (*infra*).

¹ This Act was amended by 3 Geo. 2. c. 37 (*infra*), and its term was extended by 15 Geo. 2. c. 16 and 28 Geo. 2. c. 36 successively for twenty-one years from the expiration of the original and extended terms respectively and from thence to the end of the then next Session of Parliament, and by the general Act 28 Geo. 2. c. 17 for five years further. It was repealed partly by 30 Geo. 3. c. 94 (*infra*) and partly by 33 Geo. 3. c. 130 (*infra*).

and that since it had expired certain mischievous results set out had followed, constitutes certain persons for the counties of Middlesex, Surrey, Berks, Bucks, Oxon, Gloucester, and Wilts, Commissioners to fix rates for water-carriage and regulate navigation on the Thames from the City of London to Cricklade. The Commissioners for Oxon are 'the Members to serve in Parliament for the County of *Oxon* for the time being, the Mayors of all the Corporations for the time being, lying upon the River *Thames*, and *Isis*, the Vice Chancellor of the University of *Oxford* for the time being, all Heads of Colleges and Halls in the said University for the time being', '*Matthew Skinner* Esquire, Serjeant at Law, Recorder of *Oxford*, and the Recorder of *Oxford* for the time being' and other persons appointed by name.

A. D.
1729-30.

Section 19 revives and continues 6 & 7 W. & M. c. 16 (*supra*) so far as not altered by this Act, except the proviso or exception therein relating to 21 Jac. 1. c. 32 (*supra*).

Section 20 declares the Act and also 21 Jac. 1. c. 32 (*supra*) and 6 & 7 W. & M. c. 16 (*supra*) to be public Acts.

Section 21 provided that the Act should continue for nine years from the 1st of May, 1730, and from thence to the end of the then next session of Parliament.¹

3^d GEO. II. CAP. XXXVII.

An Act to explain, amend, and render more effectual an Act made in the Tenth Year of His late Majesty's Reign [intituled, *An Act for repairing the Roads leading from Stump Cross, in the Parish of Chesterford, in the County of Essex, to Newmarket Heath, and the Town of Cambridge in the County of Cambridge*] and also an Act made

¹ This Act not having been continued expired at the end of the term thus fixed. It was further expressly repealed by 24 Geo. 2. c. 8. s. 26 (*infra*).

A. D.
1729-30.

in the Eleventh Year of His said late Majesty's Reign, intituled, *An Act for repairing Part of the Road from London to Cambridge, beginning at the End of the Parish of Foulmire in the said County, next to Barley in the County of Hertford, and ending at the Pavement in Trumpington Street, in the Town of Cambridge.*

[Section 1 appoints new sets of trustees for executing 10 Geo. 1. c. 12 (*supra*) and 11 Geo. 1. c. 14 (*supra*) respectively. Each set includes with other named persons 'the Mayor of *Cambridge* for the time being', 'the Vice-Chancellor for the time being, the Heads of the several Colleges for the time being,' and 'the Justices of the Peace for the Time being, for the County of *Cambridge*'.

Section 12 provides that the Act shall commence on the 30th of May, 1730, and continue in force till the two former Acts and each of them shall be expired.¹

Section 36 declares the Act to be a public Act.]

5^o GEO. II. CAP. XVIII.

A. D. 1732.

An Act for the further Qualification of Justices of the Peace.²

[By Section 1 Justices of the Peace for the Counties of England and Wales must, after the 25th of March, 1733, be qualified by having an estate freehold or copyhold in possession for life or some greater estate in law or equity, or an estate for years, determinable

¹ This Act was continued by 15 Geo. 2. c. 16 and 28 Geo. 2. c. 36 successively for twenty-one years from the expiration of the original and extended terms respectively, and by the general Turnpike Act 28 Geo. 2. c. 17 for five years further. It was repealed partly by 30 Geo. 3. c. 94 (*infra*) and partly by 33 Geo. 3. c. 130 (*infra*).

² The property qualification of Justices in Counties is fully dealt with by 18 Geo. 2. c. 20 (*infra*), and ss. 1 and 7 of this Act were thereby superseded; they were formally repealed by the S. L. R. Act, 1867. The property qualification has been abolished, and this Act wholly repealed by 6 Edw. 7. c. 16. s. 5 (2).

upon one or more life or lives, or for a certain term A. D. 1732.
 originally created for twenty-one years, or more, worth
 one hundred pounds a year over and above incum-
 brances. Section 4 is fully recited in 7 Geo. 2. c. 10.
 s. 3 (*infra*). Sections 5 and 6 provide that the Act
 shall not extend to certain persons]

Provided always, That this Act, nor any thing herein VII.
 contained, shall extend, or be construed to extend to any of nor to
 the Heads of Colleges or Halls in either of the Two Univer- Heads of
 sities of *Oxford* and *Cambridge*, but that they may be made Colleges
 Justices of the Peace of and in the several Counties of in either
Oxford, *Berks*, and *Cambridge*, and the Cities and Towns University.
 within the same, and execute the Office thereof as fully and
 freely in all respects, as heretofore they have lawfully used
 to execute the same, as if this Act had never been made,
 any thing herein before contained to the contrary notwith-
 standing.

7^o GEO. II. CAP. X.

An Act to indemnify Persons who have omitted to A. D. 1734.
 qualify themselves for Employments or Offices, by
 taking the Oaths, and making and subscribing
 the Declaration against Transubstantiation, and
 receiving the Sacrament, and to allow them
 further Time for that purpose; and to enable
 the Vicechancellor of the University, and Mayor
 of the Town of *Cambridge*, to act as Justices of
 the Peace for the County of *Cambridge*, notwith-
 standing the Act for the further Qualification of
 Justices of the Peace.

[This Act is one of the series mentioned in the note to
 1 Geo. 1. Sess. 2. c. 13. s. 2 (*supra*), which were from
 time to time passed to relieve from the consequences
 of not qualifying for office by taking the oaths, &c. in
 due time. Section 3 is, however, a special clause
 inserted in this instance.]

A. D. 1734.

III.

And whereas by an Act made and passed in the Fifth Year of His present Majesty's Reign, intituled, *An Act for the further Qualification of Justices of the Peace*,¹ it is amongst other things enacted, That from and after the Twenty Fifth Day of *March*, One thousand seven hundred and thirty three, no Person should be capable of being a Justice of the Peace, or to act as a Justice of the Peace, for any County within that Part of *Great Britain* called *England*, or the Principality of *Wales*, who should not have an Estate of Freehold or Copyhold to and for his own Use and Benefit, in Possession for Life, or for some greater Estate, either in Law or Equity, or an estate for Years, determinable upon any one or more Life or Lives, or for a certain Term originally created for One and twenty Years, or more, in Lands, Tenements, or Hereditaments, lying in that Part of *Great Britain* called *England*, or Principality of *Wales*, of the clear yearly Value of One hundred pounds, over and above what will satisfy and discharge all Incumbrances that may affect the same; in which said Act it is provided, That the said Act or any thing therein contained should not extend, nor be construed to extend to any City or Town being a County of it self, nor to any other City, Town, Cinque Port, or Liberty, having Justices of the Peace within their respective Limits and Precincts by Charter, Commission, or otherwise, but that in every such City, Town, Liberty, and Place, such Persons may be capable to be Justices of the Peace, and in such Manner only, as they might have been if the said Act had never been made: And whereas it hath been customary for the Vice Chancellor of the University, and Mayor of the Town of *Cambridge* for the time being, to be Justices of the Peace of the County of *Cambridge*, and it may be inconvenient to have the said Qualification of One hundred pounds a Year to extend to them; be it enacted by the Authority aforesaid, That from and after the Twenty fifth Day of *March*, One thousand seven hundred and thirty four, the said recited Act, or any thing therein contained,

The Vice
Chancellor
and Mayor
of *Cam-
bridge* may

¹ 5 Geo. 2. c. 18 (*supra*).

shall not extend, or be construed to extend to deprive the said Vice Chancellor of the said University, or the Mayor of the said Town of *Cambridge* for the time being, or either of them, from being a Justice or Justices of the Peace in the said County, nor to subject any Vice Chancellor of the said University, or Mayor of the said Town, to any Penalties or Forfeitures for acting as a Justice or Justices of the Peace in the said County; any thing in the said Act contained to the contrary notwithstanding.¹

A. D. 1734.
act as
Justices in
the said
County,
though not
qualified
according
to the Act
5 *Geor.* II.

9^o GEO. II. CAP. XXXVI.

An Act to restrain the Dispositions of Lands, whereby the same become unalienable.²

A. D. 1736.

[Section 1 directs that after the 24th of June, 1736, no lands &c., nor any personal estate to be laid out in lands &c., shall be given or granted for any Charitable Uses whatsoever, unless by indenture executed in the presence of two or more credible witnesses twelve calendar months before the death of the donor or grantor and enrolled in the Court of Chancery within six months after execution, and unless any stocks given or granted are transferred six months before the death of the donor or grantor, and unless the gift or conveyance is to take effect immediately and without any power of revocation or any limitation whatsoever for the benefit of the donor or grantor, or of any person claiming under him.]

Section 2 excepts *bona fide* purchases for full and valuable consideration actually paid before conveyance from the requirement as to execution twelve months, and transfer of stocks six months before the death of the grantor, but not from the prescribed formalities.]

Provided always, That this Act shall not extend, or be

IV.

¹ This section was superseded by 18 Geo. 2. c. 20 (*infra*).

² This Act was amended by 24 & 25 Vict. c. 9 (*infra*) and other Acts, none of which, except 45 Geo. 3. c. 101 (*infra*), which repealed s. 5 so far as it concerned Colleges and Houses of Learning in the Universities, affected the provisions in favour of the Universities and Colleges. The whole Act, except so much of s. 5 as was unrepealed, was repealed by 51 & 52 Vict. c. 42. s. 13 (*infra*).

³ See 9 Geo. 4. c. 85.

But not to
prejudice

A. D. 1736. construed to extend, to make void the Dispositions of any the two Universities, or the Colleges of *Eton*, *Winchester*, or *Westminster*. Lands, Tenements, or Hereditaments, or of any Personal Estate to be laid out in the Purchase of any Lands, Tenements, or Hereditaments, which shall be made in any other Manner or Form, than by this Act is directed, to or in Trust for either of the Two Universities within that Part of *Great Britain* called *England*, or any of the Colleges or Houses of Learning within either of the said Universities, or to or in Trust for the Colleges of *Eton*, *Winchester*, or *Westminster*, or any or either of them, for the better Support and Maintenance of the Scholars only upon the Foundations of the said Colleges of *Eton*, *Winchester*, and *Westminster*.

V. Provided nevertheless, and be it enacted by the Authority

No College to hold more Advowsons than shall be equal to one Moiety of their Fellows, &c. aforesaid, That no such College or House of Learning, which doth or shall hold and enjoy so many Advowsons of Ecclesiastical Benefices, as are or shall be equal in Number to One Moiety of the Fellows or Persons usually stiled or reputed as Fellows, or where there are or shall be no Fellows or Persons usually stiled or reputed as Fellows, to One Moiety of the Students upon the Foundation whereof any such College or House of Learning doth or may, by the present Constitution of such College or House of Learning, consist, shall, from and after the Twenty fourth Day of *June*, One thousand seven hundred and thirty six, be capable of purchasing, acquiring, receiving, taking, holding, or enjoying any other Advowsons of Ecclesiastical Benefices by any Means whatsoever ; the Advowsons of such Ecclesiastical Benefices as are annexed to, or given for the Benefit or better Support of the Headships of any of the said Colleges or Houses of Learning, not being computed in the Number of Advowsons hereby limited.

10^o GEO. II. CAP. XIX.

A. D. 1737. An Act for the more effectual preventing the unlawful playing of Interludes within the Precincts of the Two Universities, in that Part of *Great Britain* called *England*, and the Places adjacent, and for explaining and amending so much of an Act

passed in the last Session of Parliament, intituled, A. D. 1737.
An Act for laying a Duty upon the Retailers of Spirituous Liquors, and for licensing the Retailers thereof, as may affect the Privilege of the said Universities, with respect to licensing Taverns, and all other Publick Houses within the Precincts of the same.¹

W Hereas the Letters Patent of King *Henry* the Eighth, Preamble. made and granted unto the Chancellor and Scholars of the University of *Oxford*, bearing Date the First Day of *April*, in the Fourteenth Year of his Reign; and the Letters Patent of Queen *Elizabeth*, made and granted unto the Chancellor, Masters, and Scholars of the University of *Cambridge*, bearing Date the Twenty sixth Day of *April*, in the Third Year of her Reign; and also all other Letters Patent by any of her Progenitors or Predecessors, made to either of the corporated Bodies of the said Universities, and all manner of Liberties, Franchises, Immunities, Quietances, and Privileges, View of Frank Pledge, Law Days, and other Things, whatsoever they were, the which either of the said corporated Bodies of the said Universities had held, occupied, or enjoyed, or of Right ought to have had, used, occupied, and enjoyed, were by Authority of Parliament in the Thirteenth Year of her Reign,² confirmed to the Chancellor, Masters, and Scholars of either of the said Universities, and their Successors, for the great Love and Favour that her said Majesty bore towards her said Universities, and for the great Zeal and Care that the Lords and Commons had for the Maintenance of good and godly Literature, and the virtuous Education of Youth within either of the said Universities; and to the Intent that the ancient Privileges, Liberties, and Franchises of either of the said Universities, granted, ratified, and confirmed by the Queen's Highness, and her most noble Progenitors, might

¹ By 6 & 7 Vict. c. 68. s. 1 (*infra*) so much of this Act as was then in force was repealed. The provisions as to distillers were spent before the date of the repealing Act.

² 13 Eliz. c. 29 (*supra*).

A. D. 1737. be had in greater Estimation, and be of greater Force and Strength, for the better Increase of Learning, and the further Suppressing of Vice: And whereas Doubts have arisen or may arise, whether by any of the said Letters Patent, Liberties, Franchises, Immunities, or Privileges, or by any subsequent Charter or Charters, or by the Laws and Statutes of this Realm, the Chancellor of either of the said Universities, or the Vice-Chancellor thereof, or his Deputy, or any other Person or Persons, be sufficiently impowered to correct, restrain, or suppress common Players of Interludes, settled, residing, or inhabiting within the Precincts of either of the said Universities, and not wandering abroad: And whereas the Erection of any Playhouse within the Precincts of either of the said Universities or Places adjacent, may be attended with great Inconveniences; may it please Your most Excellent Majesty that it may be enacted, and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That all Persons whatsoever, who shall for Gain in any Playhouse, Booth, or otherwise, exhibit any Stage Play, Interlude, Shew, Opera, or other Theatrical or Dramatical Performance, or act any Part or assist therein, within the Precincts of either of the said Universities, or within Five Miles of the City of *Oxford*, or Town of *Cambridge*, shall be deemed Rogues and Vagabonds, and that it shall and may be lawful to and for the Chancellor of either of the said Universities, or the Vice Chancellor thereof, or his Deputy respectively, to commit any such Person to any House of Correction within either of the Counties of *Cambridge* or *Oxford* respectively, there to be kept to hard Labour for the Space of One Month, or to the common Gaol of the City or County of *Oxford*, or Town or County of *Cambridge* respectively, there to remain without Bail or Mainprize for the like Space of One Month, any Licence of the Chancellor, Masters, and Scholars of either of the said Universities of *Oxford* or *Cambridge*, or any thing herein

Stage-
Players act-
ing within
5 Miles of
either Uni-
versity to
be treated
as Vaga-
bonds, &c.

or in any other Statute, Law, Custom, Charter, or Privilege A. D. 1737. to the contrary notwithstanding.

And whereas by an Act made in the Seventh Year of the Reign of King *Edward* the Sixth, which prohibits all Persons not licensed according to the Direction of the said Act to sell Wine by Retail, and permits no more than Three Taverns or Wine Sellers in the City of *Oxford*, and Four Taverns or Wine Sellers in the Town of *Cambridge*, it was provided, That the said Act, or any Thing therein contained should not in any wise be prejudicial or hurtful to any of the Universities of *Oxford* and *Cambridge*, or to the Chancellor or Scholars of the same, or their Successors, or any of them, to impair or take away any of the Liberties, Privileges, Franchises, Jurisdictions, Powers, and Authorities to them, or any of them appertaining or belonging, but that they and every of them, and their Successors might have, hold, use, and enjoy, all their Liberties, Privileges, Franchises, Jurisdictions, Powers, and Authorities, in such large and ample wise, as though the said Act had never been had ne made, so always, that there should not be any more or greater Number of Taverns kept or maintained within any of the said Towns of *Oxford* or *Cambridge*, than might be lawfully kept and maintained by the Provision, true Meaning and Intent of the said Statute: And whereas by an Act made in the Twelfth Year of the Reign of King *Charles* the Second, intituled, *An Act for the better ordering the Selling of Wines by Retail, and for preventing Abuses in the mingling, corrupting, and vitiating of Wines, and for setting and limiting the Prices of the same*, it was provided, That the said Act, nor any thing therein contained, should not in any wise be prejudicial to the Privilege of the Two Universities of this Land, or either of them, nor to the Chancellors or Scholars of the same, or their Successors, but that they might use and enjoy such Privileges, as theretofore they had lawfully used and enjoyed: And whereas by an Act made in the Ninth

II.
Act 7
Edw. VI.¹

12 Car. II.²

9 Annæ.³

¹ Cap. 5 (*supra*).

² Cap. 25 (*supra*).

³ Cap. 16 [c. 23., Ruff.] (*supra*).

A. D. 1737. Year of the Reign of Queen *Anne*, for charging certain new Duties on stamp Vellum, Parchment, and Paper, and for other Purposes, whereby amongst other Things, several Duties therein expressed are directed to be paid, for every Piece of Vellum or Parchment, or Sheet, or Piece of Paper, on which shall be engrossed or written any Licence for retailing of Wine, or for selling of Ale, Beer, or other exciseable Liquors by Retail, it was provided, That nothing in the said Act contained should extend, or be construed to extend to prejudice any Right the Two Universities of *Oxford* and *Cambridge*, or either of them had, or claimed to have, to the licensing any Taverns, Inns, or Alehouses, within their several Jurisdictions, but that the said Universities might, from time to time, grant Licences for any Taverns, Inns, and Alehouses, within their several Jurisdictions, subject to the several Duties aforesaid, in as ample Manner as they respectively might lawfully have granted the same, if the said Act had never been made: And

12 *Annæ*.¹ whereas by an Act made in the Twelfth Year of the Reign of Her said Majesty Queen *Anne*, intituled, *An Act to enable such Officers and Soldiers as have been in Her Majesty's Service during the late War, to exercise Trades, and for Officers to Account with their Soldiers*, it was provided, That neither the said Act, nor an Act made

10 & 11
W. III. for the like Purpose in the Tenth and Eleventh Years of King *William* the Third, should in any wise be prejudicial to the Privileges of the Universities of *Cambridge* and *Oxford*, or either of them, or extend to give Liberty to any Person to set up the Trade of a Vintner, or to sell any Wine or other Liquors within the said Universities, without Licence first had and obtained from the Vice Chancellors of the same respectively: And whereas by an Act made in the last Session of Parliament, intituled, *An Act for laying a Duty upon the Retailers of Spirituous Liquors, and for licensing the Retailers thereof*,² it was enacted, That from

¹ Cap. 14 [12 Ann. St. 1. c. 13., Ruff.] (*supra*).

² 10 Will. 3. c. 17 [10 & 11 Will. 3. c. 11., Ruff.].

³ 9 Geo. 2. c. 23. s. 21.

and after the Twenty ninth Day of *September*, One thousand seven hundred and thirty six, any Person or Persons, who had followed and exercised the Art or Business of Distillation for Seven Years, then last past, or had served, or on the Twenty fifth Day of *March*, One thousand seven hundred and thirty six, were serving any Apprenticeship to the same, should and might have full Liberty and Authority to exercise or follow any other Trade, Art, Business, or Manufacture in any City, Town, or Place within that Part of *Great Britain* called *England*; any Law, Charter, Grant, Custom, or Usage to the contrary notwithstanding: And whereas since the making of the said last mentioned Act, and under Colour thereof, Persons not licensed by the Chancellor, Masters, and Scholars of the said University of *Cambridge*, or by the Chancellor or Vice Chancellor of the said University of *Oxford*, have exercised and followed, or may exercise and follow in the said City of *Oxford* and Town of *Cambridge*, the Trades of Vintners or Wine Sellers, and much Evil-rule and Disorder may be practised in Taverns not so licensed, to the great Annoyance of the said Chancellors, Masters, and Scholars, and Corruption of the Youth educated in the said Universities, be it further enacted by the Authority aforesaid, That from and after the Twenty ninth Day of *September*, One thousand seven hundred and thirty seven, nothing in the said last mentioned Act contained shall extend, or be construed to extend to prejudice the Right, which the Chancellor, Masters, and Scholars of the said University of *Cambridge*, or the Chancellor or Vice Chancellor of the said University of *Oxford*, in Right of the said University of *Oxford* respectively, claim of licensing Taverns and other Publick Houses within the Precincts of either of the said Universities; but that the said Chancellor, Masters, and Scholars of the said University of *Cambridge*, and the Chancellor and Vice Chancellor of the said University of *Oxford*, in Right of the said University of *Oxford* respectively, shall and may use and enjoy the said Right, as fully and freely as they might have used and enjoyed the same,

Act 9
Geo. II. not
to affect the
Privileges
of the Uni-
versities.

A. D. 1737. if the said Act had not been made ; any thing in the said Act contained to the contrary thereof in any wise notwithstanding.

III. Distillers Provided always, That all and every Person and Persons who have followed and exercised the Art or Business of Distillation for Seven Years, before the Twenty ninth Day of *September*, One thousand seven hundred and thirty-six, or have served, or on the Twenty fifth Day of *March*, One thousand seven hundred and thirty six, were serving any Apprenticeship to the same, and who since the said Twenty ninth Day of *September*, One thousand seven hundred and thirty six, have exercised or followed, in the said Town of *Cambridge*, the Trades of Vintners or Wine Sellers, without the Licence of the Chancellor, Master, and Scholars of the University of *Cambridge*, shall have full Liberty and Authority to exercise or follow the said Trades of Vintners or Wine Sellers in the said Town of *Cambridge*, so as they and every of them, on or before the Twenty fourth Day of *June* next following, take out such Licences, paying their Proportion for the same of the Money usually and annually paid by the Vintners or Wine Sellers now licensed by the said Chancellor, Masters, and Scholars, and upon such Terms, and subject to such Regulations, Conditions, Restrictions, and Power of Revocation, as the said Vintners or Wine Sellers so licensed, as aforesaid, are subject to ; any thing in this Act contained to the contrary notwithstanding.

and Wine
Sellers may
follow their
Trades
upon
taking out
Licences.

IV. No Fee to be taken for Licences. Provided always, and be it further enacted by the Authority aforesaid, That it shall not be lawful for the said Chancellor or Vice-Chancellor of the said University of *Oxford*, or any other Officer of that Body, to receive or take, directly or indirectly, any Fee, Perquisite, Gratuity, or Reward, for granting such Licences, as aforesaid ; nor shall any Sum of Money, Fee, Gratuity, or Reward be hereafter paid to any Person or Persons for or in respect of such Licences, other than such annual Payment in like Manner, and to the like Uses, as have been usual in the University of *Cambridge* ; any Law or Custom to the contrary notwithstanding.

Provided always, That this Act, or any thing herein contained, shall not in any wise be construed to prejudice or confirm any of the Liberties, Privileges, Franchises, Jurisdictions, Powers, and Authorities appertaining or belonging to the Mayor, Bailiffs, and Commonalty of the City of *Oxford*, or to any of them, but that they and every of them, and their Successors, may have, hold, use, and enjoy all their Liberties, Privileges, Franchises, Jurisdictions, Powers, and Authorities, in such large and ample wise as though this present Act had never been had or made.

A. D. 1737.
V.
This Act
not to affect
the Privi-
leges of
the Com-
monalty of
Oxford.

And be it further enacted by the Authority aforesaid, That this Act shall be deemed a Publick Act, and shall be judicially taken notice of as such, by all Judges, Justices, and other Persons whatsoever, without specially pleading the same.

VI.
Publick
Act.

11^o GEO. II. CAP. XVII.

An Act for securing the Estates of Papists conforming to the Protestant Religion, against the Disabilities created by several Acts of Parliament relating to Papists; and for rendering more effectual the several Acts of Parliament made for vesting in the two Universities in that Part of *Great Britain* called *England*, the Presentations of Benefices belonging to Papists.

A. D. 1738.

And whereas by an Act made in the Twelfth Year of the Reign of Queen *Anne*, for rendring more effectual an Act made in the Third Year of the Reign of King *James* the First, intituled *An Act to prevent and avoid Dangers which may grow by Popish Recusants*;¹ and also one other Act made in the First Year of the Reign of King *William* and Queen *Mary*, intituled, *An Act to vest in the Two Universities the Presentations of Benefices belonging to Papists*, it

V.
Recites
the Acts
12 *Ann.*¹
and
1 *W. & M.*²

¹ 13 *Ann. c. 13* [12 *Ann. St. 2. c. 14.*, Ruff.] (*supra*).

² 1 *W. & M.* [1 *W. & M. Sess. 1.*, Ruff.] c. 26 (*supra*).

³ 3 *Jac. 1. c. 5* (*supra*).

A. D. 1738. was enacted, That every Papist or Person making Profession of the Popish Religion, and every Child, not being a Protestant, under the Age of One and twenty Years, of every such Papist or Person professing the Popish Religion, and every Mortgagee, Trustee, or Person any ways intrusted directly or indirectly, mediately or immediately, by or for any such Papist or Person making Profession of the Popish Religion, or such Child as aforesaid, whether such Trust be declared by Writing or not, should be disabled and made incapable to present, collate, or nominate to any Benefice, Prebend, or Ecclesiastical Living; School, Hospital, or Donative, or to grant any Avoidance of any Benefice, Prebend, or Ecclesiastical Living, and that every such Presentation, Collation, Nomination, and Grant, and every Admission, Institution, and Induction to be made thereupon, should be utterly void and of no Effect to all Intents, Constructions, and Purposes whatsoever; and that in every such Case the Chancellor and Scholars of the University of *Oxford*, and the Chancellor and Scholars of the University of *Cambridge* should respectively have the Presentation, Nomination, Collation, and Donation of and to every such Benefice, Prebend, or Ecclesiastical Living, School, Hospital, and Donative, set, lying, and being in the respective Counties, Cities, and other Places and Limits in the said Act of the Third Year of King *James* mentioned, as in and by the said Act is directed and appointed in the Case of a Popish Recusant Convict: And whereas for the better Discovery of all secret Trusts and fraudulent Conveyances made by Papists or Persons making Profession of the Popish Religion, of their Advowsons and Right of Presentation, Nomination, and Donation to any Benefices or Ecclesiastical Livings, several Provisions were made by the said Act of the Twelfth Year of the Reign of Queen *Anne*, which have been fraudulently evaded by Persons obtaining from such Papists, without a full and valuable Consideration, Grants of such Advowsons and Right of Presentation, Nomination, and Donation, upon Confidence only, that such Grantees will, at the Request of such Papists, present

to such Benefices or Ecclesiastical Livings, Clerks nominated by such Papists, who have been presented accordingly, contrary to the true Intent and Meaning of the said Acts, and to the great Hurt of the Protestant Interest of this Kingdom; be it therefore enacted by the Authority aforesaid, That every Grant to be made from and after the Sixth Day of *May*, One thousand seven hundred and thirty-eight, of any Advowson or Right of Presentation, Collation, Nomination, or Donation of and to any Benefice, Prebend, or Ecclesiastical Living, School, Hospital, or Donative, and every Grant of any Avoidance thereof by any Papist or Person making Profession of the Popish Religion, or any Mortgagee, Trustee, or Person, any ways intrusted directly or indirectly, mediately or immediately, by or for any such Papist or Person making Profession of the Popish Religion, whether such Trust be declared by Writing or not, shall be null and void, unless such Grant shall be made *bona fide*, and for a full and valuable Consideration to and for a Protestant Purchaser or Protestant Purchasers, and meerly and only for the Benefit of a Protestant or Protestants; and that every such Grantee, or Person claiming under any such Grant, shall be deemed to be a Trustee for a Papist or Person professing the Popish Religion, as aforesaid, within the true Intent and Meaning of the said Act; and that all such Grantees, or Persons claiming under such Grants, and their Presentees, shall be compelled to make such Discovery relating to such Grants and Presentations made thereupon, and by such Methods, as in and by the said Act of the Twelfth Year of the Reign of Queen *Anne* are directed in the Case of Trustees of Papists, or Persons professing the Popish Religion; and that every Devise to be made from and after the said Sixth Day of *May*, by any Papist or Person professing the Popish Religion, of any such Advowson, or Right of Presentation, Collation, Nomination, or Donation, or any such Avoidance, with Intent to secure the Benefit thereof to the Heirs or Family of such Papist or Person professing the Popish Religion, shall be null and void; and that all such Devisees, and Persons

A. D. 1738.

Every Grant made after 6 *May*, 1738. of any Ecclesiastical Living, &c. by Papist, &c. void,

unless made for a valuable Consideration to a Protestant Purchaser, &c.

Every Devise made of any Ecclesiastical Living after 6 *May*, 1738. by a Papist, void.

A. D. 1738. claiming under such Devises, and their Presentees, shall in like Manner, and by such Methods, be compelled to discover whether, to the best of their Knowledge and Belief, such Devises were not made with the said Intent.

13^o GEO. II. CAP. XV.

A. D. 1740. An Act for continuing and making more effectual an Act passed in the Fifth Year of the Reign of His late Majesty King *George* the First, *For repairing the Roads from the Top of Stoken-church Hill to Enslow-bridge, and the Road from Wheatley-Bridge through the City of Oxon, by Begbrook to New Woodstock in the County of Oxon (except the Mile-way on each side of the said City) and for repairing the Road from the Crown Alehouse, to the Turnpike on Stoken-church Hill aforesaid.*

[The preamble recites 5 Geo. I. c. 1 of which the title is set out above, and section 1 extends the term for which that Act was in force (namely twenty-one years from the 20th of April, 1719) for twenty-one years further, and thereafter till the end of the then next Session of Parliament.¹

Section 3 appoints additional trustees to act with those named in the previous Act for executing both Acts. The additional trustees include together with a number of persons appointed by name 'the Rev. Dr. *Leigh* Vice-chancellor of *Oxford*, and Vice-chancellor of *Oxford* for the time being'.

Section 4 imposes a property qualification for acting as trustee.

Section 34 declares the Act to be a public Act.]

¹ This Act was repealed by 18 Geo. 3. c. 91. s. 1 (*infra*). See also 2 Geo. 3. c. 41 (*infra*).

17^o GEO. II. CAP. XL.

An Act to continue the several Laws therein men- A. D. 1744.
tioned for preventing Theft and Rapine on the
Northern Borders of *England*; for the more
effectual punishing wicked and evil disposed
Persons going armed in Disguise, and doing
Injuries and Violences to the Persons and Pro-
perties of His Majesty's Subjects, and for the
more speedy bringing the Offenders to Justice;
for continuing Two Clauses to prevent the cutting
or breaking down the Bank of any River, or Sea
Bank, and to prevent the malicious cutting of
Hop-binds; and for the more effectual Punish-
ment of Persons maliciously setting on Fire any
Mine, Pit, or Delph of Coal, or Cannel Coal;
and of Persons unlawfully hunting or taking any
Red or Fallow Deer in Forests or Chaces, or
beating or wounding the Keepers or other Officers
in Forests, Chaces or Parks; and for granting
a Liberty to carry Sugars of the Growth, Produce,
or Manufacture of any of His Majesty's Sugar
Colonies in *America*, from the said Colonies
directly to foreign Parts in Ships built in *Great
Britain*, and navigated according to Law; and
to explain Two Acts relating to the Prosecution
of Offenders for embeziling Naval Stores, or Stores
of War; and to prevent the retailing of Wine
within either of the Universities in that Part of
Great Britain called *England* without Licence.

And whereas divers Persons have of late taken Cellars, XI.
Vaults, or Warehouses, within the University of *Oxford*, Against
and the Precincts thereof, in which they retail great Quan- selling
tities of Wine, not having Licence from the Chancellor or Wine with-
out Licence

A. D. 1744.
at either of
the Uni-
versities.

The
Penalty.

Vice Chancellor of the said University, in violation of the Rights of the said University, and in Prejudice of His Majesty's Revenues: And whereas the like Offences may be committed within the University of *Cambridge*, and the Precincts thereof, by Persons selling Wine by Retail, not being duly licensed by the said University: And whereas the Acts of Parliament relating to Wine Licences do not extend to the said Universities; be it enacted by the Authority aforesaid, That from and after the Twenty fourth Day of *June*, One thousand seven hundred and forty four, no Person or Persons shall sell Wine by Retail, within either of the said Universities, or the Precincts of either of them, unless such Person or Persons shall be duly licensed or authorized so to do, by the Chancellor or Vice Chancellor of the said University of *Oxford*, and by the Chancellor, Masters, and Scholars of the said University of *Cambridge* respectively, upon Pain of forfeiting for every Offence the Sum of Five Pounds; one Moiety thereof to the Use of His Majesty, His Heirs and Successors; and the other Moiety to the Informer; and that all Persons offending against this Act, shall and may be prosecuted and proceeded against for the said Forfeitures, in the Courts of the Chancellors or Vice Chancellors of the said Universities respectively, in a summary Way, by summoning the Party accused to appear in the said Courts respectively; and on Appearance, or Contempt of the Party accused, by not appearing, being duly summoned, and Oath thereof made, such Courts may examine the Matter, and upon Confession of the Party accused, or on the Oath of One credible Witness, of such Party's having offended against this Act, such Courts respectively shall and may give Sentence against such Party, and issue their Warrant or Warrants for levying the said Forfeitures, by Distress and Sale of the Goods of the Party offending, rendering the Overplus, if any, to the Party on whom such Distress shall be made; and for Want of such Distress, shall and may commit such Offender or Offenders to the House of Correction, there to remain without Bail or Mainprize, for the Space of One Month; and

such Sentence or Sentences shall be, and are hereby declared to be taken and adjudged to be good, valid, and effectual in the Law; and that no Writ of *Certiorari*, or other Process shall issue or be issuable to remove any such Sentence from the said Courts of the said Chancellors or Vice Chancellors respectively, or to remove any Order or other Proceedings made or taken by the said Courts respectively, upon, touching, or concerning any such Sentence, into any of His Majesty's Courts of Record at *Westminster*, until the Party or Parties against whom such Sentence shall be given, before the Allowance of such Writ of *Certiorari*, or other Process, shall find Two sufficient Sureties, to become bound to the Prosecutor or Prosecutors of such Offenders, in the Sum of Fifty Pounds, with Condition to prosecute the same with Effect, within Twelve Months, and to pay unto the Prosecutor or Prosecutors his or their full Costs and Charges of the Removal of such Sentence, and the Proceedings thereon, in case such Sentence shall be affirmed; any Law, Statute, Provision, or Usage to the contrary notwithstanding.¹

Provided always, That this Act, or any thing herein contained, shall not in any wise be construed to prejudice or confirm any of the Liberties, Privileges, Franchises, Jurisdictions, Powers, and Authorities appertaining or belonging to the Mayor, Bailiffs, and Commonalty of the City of *Oxford*, or to any of them, but that they, and every of them, and their Successors, may have, hold, use, and enjoy all their Liberties, Privileges, Franchises, Jurisdictions, Powers, and Authorities, in such large and ample wise, as though this present Act had never been had or made.

XII.
This Act
not to affect
the Privi-
leges of the
Mayor, &c.
of *Oxford*.

18^o GEO. II. CAP. XX.

An Act to amend and render more effectual an Act, passed in the Fifth Year of His present Majesty's

¹ By 53 & 54 Vict. c. ccxxiii. s. 119 (*infra*) the power of granting licences for the sale of wine by retail within the University of Oxford or the precincts thereof is transferred to the City Corporation, and s. 11 of this Act is to be read and construed accordingly.

A. D. 1745.

Reign, intituled, *An Act for the further Qualification of Justices of the Peace.*¹

[This Act provides that no person, with some few exceptions, shall act as a Justice of the Peace for any County, who is not possessed of the qualification by estate required by 5 Geo. 2. c. 18 (*supra*), or entitled to the immediate reversion or remainder of an estate in lands worth £300 a year clear, leased for one, two, or three lives or for a term of years determinable upon the death of one, two, or three lives, upon reserved rents; and prescribes an oath to be taken verifying the qualification.]

XV.
Persons
excepted.

Provided always, That this Act, or any thing herein contained, shall not extend, or be construed to extend, to any of the Heads of Colleges or Halls in either of the Two Universities of *Oxford* and *Cambridge*, or to the Vice Chancellor of either of the said Universities, or to the Mayor of the City of *Oxford*, or of the Town of *Cambridge*, but that they may be and act as Justices of the Peace of and in the several Counties of *Oxford*, *Berks*, and *Cambridge*, and the Cities and Towns within the same, and execute the Office thereof as fully and freely in all Respects as heretofore they have lawfully used to execute the same, as if this Act had never been made; any thing herein before contained to the contrary notwithstanding.

18^o GEO. II. CAP. XXIII.

An Act to repair and widen the Road leading from *Godmanchester* in the County of *Huntingdon*, through *Fen Stanton* and *Cambridge*, to the *First Rubbing House* on *Newmarket Heath* in the County of *Cambridge*.

[Section 1 appoints 'the Vice Chancellor, and the Heads of the several Colleges and Halls in the University

¹ The property qualification for County Justices, as to which see 5 Geo. 2. c. 18 (*supra*) and 7 Geo. 2. c. 10 (*supra*), was abolished, and this Act wholly repealed by 6 Edw. 7. c. 16. s. 5 (2).

of *Cambridge* for the time being; the Mayor, Recorder, A. D. 1745. and Aldermen of the Town of *Cambridge* for the time being' and 'the Mayor, Recorder, and Aldermen of the Town of *Huntingdon* for the time being' with other named persons trustees of the Road with power to erect turnpikes and receive tolls.

Section 32 provides that the Act shall continue for twenty-one years from the 24th of June, 1745, unless the road shall before the expiration of that term have been sufficiently repaired and all money borrowed and interest and all costs and charges thereof have been paid.¹

Section 40 declares the Act to be a public Act.]

18^o GEO. II. *Cap. 19.*

An Act for Sale of certain Leasehold Estates, late of *Sarah Eaton*, deceased, and by her devised to the Provost, Fellows and Scholars of *Worcester* College in the University of *Oxford*; and for laying out the Money arising thereby in the Purchase of Fee-simple Estates, and for other Purposes therein mentioned.²

A. D.
1744-5.

[This Act recites that *Sarah Eaton* was seized of real estates of inheritance, and possessed of personal estate including the Rectory of Walkeringham Notts, held on renewable lease from Trinity College, Cambridge, and the Manor or Farm of Tulwell, Gloucestershire, and lands adjoining thereto, held on lease from the Dean and Chapter of Gloucester; and that she by her will dated the 18th of March 1731 gave her real estates

¹ The term of this Act was extended for five years from its expiration by the general Turnpike Act, 28 Geo. 2. c. 17; and by 3 Geo. 3. c. 30, and 33 Geo. 3. c. 156, respectively for further successive terms of twenty-one years and from thence to the end of the then next Session of Parliament. It and the Acts of 3 and 33 Geo. 3 were repealed so far as they concerned the Road from Godmanchester to Jesus Lane, Cambridge, by 53 Geo. 3. c. 41 (which appointed new trustees not including any *ex officio* representatives of the University or Colleges). The three Acts, so far as they concerned the road from Jesus Lane to Newmarket Heath, were repealed by 55 Geo. 3. c. xlix (*infra*).

² See further as to *Sarah Eaton's* Foundation 15 Geo. 3. c. 94 (*infra*).

A. D.
1744-5.

in Piddington and Rode, Northants, and all her leasehold estates being altogether of the yearly value of £380 or thereabouts to the Provost Fellows and Scholars of Worcester College, Oxford, and gave the residue of her personal estate to trustees upon trust to purchase estates in fee simple and convey them to the Provost Fellows and Scholars upon trust to maintain seven additional fellows, to receive £40 yearly each, to be elected by the Provost and Fellows with all the rights and to be subject to the same rules and statutes as the other fellows, to be sons of clergymen wanting assistance to maintain them at the University and to vacate their fellowship on acquiring a benefice or visible estate of the value of £40 a year; that the will also provided for the foundation, on the falling in of annuities bequeathed to certain persons, of five scholarships of £20 a year tenable by sons of clergymen standing in need thereof, and for the residue of the income being divided between the Provost and Fellows, the Provost receiving a double share; that the yearly value of the real estates in Piddington and Rode was £122 19s. 4d., and of the leaseholds in Walkeringham and Tulwell £107 5s. 0d., and the residue of the personal estate amounted to £5,000; and that two of the annuitants were dead. The Act further recites Letters Patent of 17 Geo. 2 reciting the bequest by Sir Thomas Cook of £10,000 to found the College, the Charter of incorporation by Queen Anne of the College consisting of a provost, six fellows, and six scholars, with a licence to hold lands in mortmain not exceeding £1,500 a year, the will of Sarah Eaton, and the devise by George Clarke of real estates in Wilts worth near £600 a year subject to a trust to build nine chambers between the Library and Provost's lodgings for additional fellows and scholars to be endowed by him and for finishing the Chapel and Hall, and increasing the College by the addition of

thirteen fellows and eight scholars, seven of the new fellows and five of the new scholars being on the foundation of Sarah Eaton; who are to be elected by the same persons and at the same time as fellows and scholars of Sir T. Cooke's foundation.

A. D.
1744-5.

The Act directs the trustees to sell the leasehold rectory and manor and with the purchase money and accumulations of income to purchase lands in fee simple worth £107 5s. *od.* a year to be conveyed to the College as provided by the testatrix, to accumulate a further sum not exceeding £2,533 to purchase a site and build chambers in the College for the seven fellows and five scholars of her foundation, and convey the same to the College, and thereafter to accumulate a sum to purchase further real estate of value not exceeding £50 a year to be conveyed to the College to indemnify the Provost and Fellows of Sir T. Cooke's foundation for any damages they might sustain by admitting the fellows and scholars of Sarah Eaton's foundation to the privileges of the College. The Act further empowered the College to hold the lands to be conveyed to it over and above those it was already authorized to hold in mortmain.

20^o GEO. II. CAP. III.

An Act for repealing the several Rates and Duties A. D. 1747.
upon Houses, Windows and Lights; and for granting to His Majesty other Rates and Duties upon Houses, Windows, or Lights; and for raising the Sum of Four Millions four hundred thousand Pounds by Annuities, to be charged on the said Rates or Duties.¹

¹ The duties imposed by this Act were repealed by 6 Geo. 3. c. 38, and new duties substituted to be collected in accordance with the same rules. Section 32, except the words 'paying to Church and Poor', was repeated practically *verbatim* in s. 31 of 24 Geo. 3. Sess. 2. c. 38 (an Act imposing additional duties),

A. D. 1747. [This Act repeals the House and Window Taxes and powers of collecting the same imposed and conferred by 7 & 8 Will. 3. c. 18; 8 & 9 Will. 3. c. 20; 1 Ann. c. 7 [1 Ann. St. 1. c. 13., Ruff.]; 6 Ann. c. 21 [5 Ann. c. 13., Ruff.]; 8 Ann. c. 10 [c. 4., Ruff.] (*supra*); 5 Geo. 1. c. 1. Such taxes and powers are to cease on the 25th of March, 1747, when new taxes on houses and windows and new powers of collecting them are imposed and conferred.]

XXXII.
Apart-
ments in
Colleges,

Provided always, That each distinct Chamber or Apartment, in any College or Hall in any of the Universities of *Great Britain*, shall be subject to the same Rates or Duties as if it were an entire House paying to Church and Poor.

22^o GEO. II. CAP. XLIV.

A. D. 1749. An Act to enable such Officers, Mariners, and Soldiers, as have been in His Majesty's Service since His Accession to the Throne, to exercise Trades.¹

[Section 1 gave power to officers and soldiers who had served since the King's accession to set up trades in any town or place in Great Britain or Ireland.]

II.
Privileges
of the Uni-
versities of
Cambridge
and *Oxford*

Provided always, That this Act shall not in any wise be prejudicial to the Privileges of the Universities of *Cambridge* and *Oxford*, or either of them, or extend to give Liberty to any Person to set up the Trade of a Vintner, or to sell any

and was incorporated by reference in several other Acts. See further as to house and window tax 32 Geo. 3. c. 2 (*infra*), 38 Geo. 3. c. 40 (*infra*), 43 Geo. 3. c. 161 (*infra*), and 48 Geo. 3. c. 55 (*infra*).

¹ By 3 Geo. 3. c. 8, 24 Geo. 3. Sess. 2. c. 6, and 42 Geo. 3. c. 69, like privileges were conferred on those who had served in the land and sea forces (including the marines and militia) for subsequent successive periods, and on their wives and children, s. 2 of this Act being repeated *verbatim* as s. 4 of the first and third, and as s. 5 of the second of those Acts. This Act was no doubt spent before 1835; but the later Acts, or some of them, must have been operative till superseded by the removal in that year, by the Municipal Corporations Act (5 & 6 Will. 4. c. 76), s. 14 (*infra*), of the restrictions on trade in towns, as to which see note to 12 Ann. c. 14 [12 Ann. St. 1. c. 13., Ruff.] (*supra*). For other Acts giving trade privileges to militia men with a like exception see 30 Geo. 2. c. 25 and note thereto (*infra*).

Wine or other Liquors within the said Universities, without A. D. 1749.
Licence first had and obtained from the Vice Chancellors of reserved to
the same respectively. them.

22° GEO. II. *Cap. 47.* [*Cap. 46., Ruff.*]

An Act for Annexing the Rectory of *Glaston* in the
County of *Rutland* to the Office of Master or
Keeper of the House or College of *Saint Peter*
in the University of *Cambridge*.¹

WHEREAS Barnard Hale Doctor in Divinity late Bargain
Master of the House or College of Saint Peter's in and Sale by
the University of Cambridge deceased did by Indenture of Barnard
Bargain and Sale inrolled in the High Court of Chancery Hale, late
bearing Date the Sixth Day of February in the Fourteenth Master of
Year of the Reign of King Charles the Second and made or Peterhouse,
mentioned to be made between the said Barnard Hale of including
the one part and Matthew then Lord Bishop of Ely Sir Advowson
John Hale of Stagenhoe in the Parish of Saint Paul's of Glaston
Walden in the County of Hertford Knight Brother to the Rectory to
said Barnard John Austen Esquire Son and Heir apparent Trustees
of Sir Robert Austen of Becksley in the County of Kent for himself
Baronet William Hale of Ayott in the said County of thereafter
Hertford Esquire Nephew of the said Barnard and George upon such
Nedham of Little Weymondley in the said County of Trusts as
Hertford Esquire of the other part grant bargain sell and he should
confirm unto the said Lord Bishop Sir John Hale John declare by
Austen William Hale and George Needham their Heirs and Will or
assigns for ever All those the Manors of Knapton Bromhill Deed.
and Knapton Greens with their and every of their Rights
Members and Appurtenances lying and being in Knapton in
the County of Norfolk together with the Rectory Advowson

¹ The title of this Act is taken from the table on the roll as printed by the King's Printers. The Act itself is not on the roll, and is here printed from the original Act (No. 98) preserved at the House of Lords.

Under the powers conferred by 19 & 20 Vict. c. 88. s. 28 (*infra*) the Rectory of Glaston was by Statute VIII of the Statutes of Peterhouse approved by the Queen in Council on the 27th of August, 1860, severed from the Mastership of the College, and the advowson was vested in the Master and Fellows.

A. D. 1749. and Patronage of the Parish Church of Knapton aforesaid and all the Messuages Lands Meadows Pastures Feedings and Hereditaments whatsoever of him the said Barnard Hale situate lying and being in Knapton aforesaid Paston and Swafield or any of them in the said County of Norfolk and also all those Marsh grounds with the Appurtenances lying and being in Chidgrave and Langhly in the said County of Norfolk and all that Advowson and Patronage of the Church and Rectory of Glaston in the County of Rutland with the Appurtenances and all other the Lands Tenements and Hereditaments whatsoever of the said Barnard Hale in Knapton Paston Swafield Chidgrave and Langhly aforesaid or any of them or elsewhere in any of the Towns and Parishes to them or any of them adjoining or lying near in Trust for the said Barnard Hale and his Assigns for his Life and from and after his Decease Upon such Trusts and to and for such Intents and Purposes as the said Barnard Hale by his last Will and Testament in Writing or by any other Writing under his Hand and Seal should limit declare and appoint AND WHEREAS the said Barnard Hale in and by his last Will and Testament in Writing bearing Date the said Sixth Day of February in the said Fourteenth Year of the Reign of King Charles the Second after having thereby given and bequeathed several Legacies and after making Disposition of part of his real and personal Estate did as and concerning the several Manors Messuages Lands and Premises which he had by the said recited Indenture settled upon the said Lord Bishop of Ely Sir John Hale John Austen William Hale and George Needham dispose of the Rents Issues and Profits thereof First to raise Money to pay his Debts discharge his Funeral and in all perform his said Will And then afterwards did thereby dedicate and appoint the same Rents Revenues and Profits of the said Manors Lands and Premises with their Appurtenances wholly and absolutely to the Service of the most Holy and undivided Trinity in and to Saint Peter's College in Cambridge to be employed and disposed of in the Manner and Form by his said Will

Will of
Barnard
Hale
appointing
inter alia
the Advow-
son of
Glaston
Rectory
to the
Master of
Peterhouse
and his
Successors,
each to
hold the
Rectory
during his
Tenure
of the
Mastership
or to
nominate
some one
to hold it
during the
same
Period.

afterwards directed And he also declared his Will and Mind A. D. 1749.
to be that the Master of the same College and his Successors
for ever should have the Rents Issues and Profits of all those
his Marsh Lands aforesaid And also all that his Patronage
and Advowson and Rectory of Glaston aforesaid with all
the Lands and Tenements in Glaston aforesaid with their
and every of their Appurtenances which he gave and did
intend to be as an Increase of the Master's Living of the
said College and his Successors from time to time for ever
And he further declared his Will to be That if the Master of
the said College or his Successors should think good to spare
the said Advowson and Premises in Glaston aforesaid from
his own Maintenance and dispose of it to another That then
his Mind and Will was that he give and dispose of the
same for no longer time than he should continue Master of
the said College and that to be to one that is had been or
should be a Fellow of the same College AND WHEREAS by
another Indenture of Bargain and Sale inrolled in the High
Court of Chancery bearing Date the Twelfth Day of February
One thousand Six hundred and Eighty five and made or
mentioned to be made between Robert Austen Esquire
Eldest Son and Heir apparent of the said John Austen
therein named by the Description of Sir John Austen Baronet
and Richard Hale Esquire Eldest Son and Heir apparent
of the said William Hale of the one part and the Master or
Keeper and Fellows or Scholars of Saint Peter's College
commonly called Peter House of the other part the said
Robert Austen and Richard Hale did grant bargain sell alien
release and confirm unto the said Master or Keeper and
Fellows or Scholars and their Successors the several Manors
Messuages Lands Tenements and Hereditaments theretofore
conveyed to the said Robert Austen Richard Hale John
Austen the Son and Robert Hale as aforesaid and the Revers-
ion and Reversions Remainder and Remainders Rents
Issues and Profits thereof and of every part and parcel thereof
and all the Estate Right Title Interest Trust Property
Claim and Demand whatsoever of them the said Robert
Austen and Richard Hale and either of them of in to or out

Transfer of
Trust
Estate to
other
Trustees.

A. D. 1749. of the same Manors Messuages Lands Tenements Hereditaments and Premises or any of them or any part or parcel thereof To hold the same for ever upon such Trusts nevertheless and to and for such Intents and Purposes as are mentioned expressed and declared of and concerning the same respectively in and by the aforesaid Will of the said Barnard Hale AND WHEREAS Edmund Keene Doctor in Divinity and Rector of the Parish of Stanhope in the County and Diocese of Durham was in the Month of January last nominated admitted and constituted Master or Keeper of the said House or College of Saint Peter in the said University of Cambridge and in Right of the said Office of Master or Keeper of the said House or College is become intituled to the Advowson and Patronage of the Church and Rectory of Glaston aforesaid under the Will of the said Barnard Hale and the Indenture last recited But by One of the Ecclesiastical Canons ratified and confirmed by King James by His Letters Patent in the First Year of his Reign is disabled from holding and enjoying the said Rectory of Glaston together with the said Rectory of Stanhope by Reason they are more than Thirty Miles distant assunder nor can he dispose of the said Advowson of the said Rectory of Glaston for such Time only as he shall continue in the Office of Master or Keeper of the said House or College in Compliance with the Direction of the said Testator AND WHEREAS the Fellows or Scholars of the said House or College of Saint Peter are willing and desirous that the said Edmund Keene should hold and enjoy the said Rectory of Glaston together with the said Rectory of Stanhope and that the said Rectory of Glaston (which was intended by the said Testator to be an Increase of the Living of the Master of the said House or College) should be for ever hereafter annexed to the Office of Master or Keeper of the said House or College MAY it therefore please Your most Excellent Majesty at the humble Petition of the said Edmund Keene That it may be Enacted AND BE IT ENACTED by the King's most Excellent Majesty by and with the Advice and Consent of the Lords Spiritual and Temporal and

Admission
of Edmund
Keene as
Master.

But being
already
Rector of
Stanhope
he is dis-
abled from
holding the
Rectory of
Glaston
also ;
nor can he
nominate
another
to hold it
during his
Tenure of
the Master-
ship.

Commons in this present Parliament assembled and by the Authority of the same That from and after the first Day of June One thousand Seven hundred and Forty nine the said Rectory of Glaston and all Members Tythes Lands Tenements Hereditaments Profits and Emoluments whatsoever to the same belonging or in any wise appertaining or therewith used and enjoyed shall be united and for ever annexed unto the said Office of Master or Keeper of the House or College of Saint Peter in the University of Cambridge And shall be held and enjoyed by the said Edmund Keene and his Successors Masters or Keepers of the said House or College during such Time as they shall respectively remain Masters or Keepers thereof and no longer in as full and ample Manner to all Intents and Purposes as if they were duly nominated admitted instituted and inducted to the said Rectory And the said Edmund Keene and his Successors for the Time being Masters or Keepers of the said House or College during such Time as they shall continue Masters or Keepers of the said House or College shall by Virtue of the Office of Master or Keeper of the said House or College for ever hereafter enjoy the said Rectory without any Presentation Admission Institution or Induction or any other Act or Title whatsoever and shall be and are hereby declared to be during his and their Continuance in the said Office full and perfect Incumbents of the Rectory aforesaid to all Intents and Purposes whatsoever Which Incumbency nevertheless shall not make void any other Benefice which the said Edmund Keene is at present legally possessed of or which any future Master or Keeper of the said House or College shall be legally possessed of at the Time of his being appointed Master or Keeper of the said House or College it being the Intention of this Act that the aforesaid Rectory shall consist and be held and enjoyed by every such Master or Keeper together with any One other Ecclesiastical Benefice without any License or Dispensation for that End to be granted or obtained

A. D. 1749.
Rectory of
Glaston
annexed to
Mastership
of Peter-
house,

and to be
tenable
with any
one other
Ecclesi-
astical
Benefice.

AND be it further ENACTED and DECLARED That as often as it shall happen that the said Office of Master or

II.

A. D. 1749. Keeper of the said House or College shall become void by Successive Masters, on Admission to Master-ship and during Tenure thereof, to be Rectors. Death Resignation or otherwise the said Advowson and Patronage of the Church and Rectory of Glaston aforesaid shall at the same Time become void and the Person that shall be legally nominated admitted and constituted Master or Keeper of the said House or College of Saint Peter aforesaid shall by Virtue of such Office have and enjoy the said Rectory for so long Time as he shall continue in such Office and no longer

III.

Master to perform the Duties of Rector by himself or a resident Curate.

PROVIDED always That every such Master or Keeper shall Celebrate Divine Service and perform all other parochial Duties relating to the Cure of Souls within the said Rectory which any other Rectors of the said Rectory have heretofore done and performed and were by Law obliged to do and perform or shall allow to a learned and able Curate (to be licensed by the Bishop or Ordinary of the Diocese) who shall be constantly Residing within the said Rectory such competent Salary and Stipend as the said Bishop or Ordinary shall judge sufficient

IV.

Saving of First Fruits and Tenths, Bishop's Dues, and Canonical Obedience.

PROVIDED also That neither this Act nor any Thing herein contained shall excuse or be construed to excuse any Master or Keeper of the said House or College from the Payment of the First Fruits and Tenths due and payable in respect of the said Rectory of Glaston or from the Payment of all Dues of what Kind soever to the Bishop or other Ordinary who before the making of this Act had lawful Right to claim the same or from Canonical Obedience to the Bishop or Ordinary of the Diocese any thing in this Act to the contrary in any wise notwithstanding

V.

General Saving.

SAVING always to the King's most Excellent Majesty his Heirs and Successors and to all and every other person and persons Bodies Politick and Corporate his her and their Heirs Successors Executors and Administrators (other than and except the said Robert Austen and Richard Hale their respective Heirs and Assigns and the Master or Keeper and Fellows or Scholars of the said House or College of Saint Peter and their Successors) all such Right Title Interest Claim and Demand of in or to the said Advowson and

Patronage of the Church and Rectory of Glaston aforesaid A. D. 1749.
as they every or any of them had before the passing of this
Act or could or ought to have had in case this Act had not
been made.

24^o GEO. II. CAP. VIII.

An Act for the better carrying on and regulating the A. D. 1751.
Navigation of the Rivers *Thames* and *Isis*, from
the City of *London* westward, to the Town of
Cricklade in the County of *Wilts*.¹

[The preamble recites that 'the Rivers of *Thames* and
Isis have, Time out of Mind, been navigable from the
City of *London* to the Village of *Bercott* in the County
of *Oxford*; and from the City of *Oxford* westward,
beyond *Letchlade* in the County of *Gloucester*'; that by
21 Jac. I. c. 32 (*supra*) 'the said Rivers were made navi-
gable from the said Village of *Bercott* to the said City
of *Oxford*'; and that 'divers Abuses have heretofore
been, and still are committed, by the Owners of the
several Towing-paths, and other Passages on the
Banks of the said Rivers, and by the Owners of
the Locks, Weirs, Turnpikes, Dams, Flood-gates, and
other Engines in and upon or near adjoining to the
said Rivers; and also by the several Barge-masters,
and their Servants, navigating thereon; by Reason
whereof and other Exactions, the Price of Water-
carriage, on those Rivers, hath of late Years been very
much raised, contrary to the Intent and Provision
of divers wholesome and good Laws, made and passed
for the due Regulation of the said Navigation.'

Section 1 then constitutes all persons paying land tax on
an estate in possession of the yearly value of £100 in any
or either or all of the Counties of Middlesex, Surrey,
Berks, Bucks, Oxon, Gloucester, and Wilts, 'and also

¹ For subsequent legislation with regard to the Upper Navigation of the
Thames see 11 Geo. 3. c. 45 (*infra*), 35 Geo. 3. c. 106 (*infra*), 29 & 30 Vict.
c. 89 (*infra*), and 48 & 49 Vict. c. 76 (*infra*). This Act was repealed by
57 & 58 Vict. c. clxxxvii.

A. D. 1751.

the Vice Chancellor, and the Heads of Colleges and Halls in the University of *Oxford*; and the Mayor or Chief Officer for the time being of the Corporation and Borough Towns, lying upon the said Rivers,' Commissioners for putting in execution the powers of this Act.]

XXII.
Limitation
of this Act.

Provided always, That nothing in this Act contained shall extend, or be construed to extend, to take away any Jurisdiction, Power, or Authority of the Mayor, Commonalty, and Citizens of the City of *London*, or any other Body Politick or Corporate, or other Person or Persons whatsoever.

[Section 24 declares the Act to be a public Act.

Section 26 repeals 'from and after the End of this present Session of Parliament,'¹ 6 & 7 W. & M. c. 16 (*supra*), and 3 Geo 2. c. 11 (*supra*).]

24 GEO. II. Cap. 21.

A. D.
1750-1.

*An ACT for the better effecting the Purposes mentioned in the Will of John Michel, late of Richmond in the County of Surry, Esquire, deceased, for the Benefit and Advantage of Queen's College in the University of Oxford.*²

[The Act provides for carrying into effect the will of John Michel dated the 21st of December, 1736; for the erection of buildings for the accommodation of the Michel Fellows and Scholars; and for a recompense not exceeding £2000 to be paid by the Visitors of the Michel Foundation to the College in lieu of rent, cost of repairs, &c. of the buildings, and use of Library, Hall, Kitchen, Buttery, Cellars, Furniture & Goods, attendance of Officers, Lecturers, Readers, Moderators, and Servants, & use of Gardens, Quadrangles, Courts, and other public Places of the College.]

¹ The Parliament was prorogued on the 25th of June, 1751.

² See further as to the Michel Foundation 9 Geo. 3. c. 72 (*infra*).

26^o GEO. II. CAP. XXXI.

An Act for regulating the Manner of Licensing Ale-houses in that Part of *Great Britain* called *England*; and for the more easy convicting Persons selling Ale, and other Liquors, without Licence.¹ A. D. 1753.

[The Act applies to licences by Justices for selling ale, beer, cider, perry, spirituous liquors and strong waters, not to wine licences.]

Provided always, That this Act, or any thing therein contained, shall not in any wise be prejudicial to the Privilege of licensing Taverns and other Publick Houses, claimed by the Two Universities of that Part of *Great Britain* called *England*, or either of them, nor to the Chancellor, Masters, and Scholars, or any Officers of the same, or their Successors, but that they may use and enjoy such Privilege as they have heretofore lawfully used and enjoyed; any thing herein contained to the contrary notwithstanding. XV.
Rights of
the Two
Universi-
ties to
grant
Licences
reserved.

28^o GEO. II. CAP. XLVI.

An Act for repairing and widening the Roads leading from the *Cross of Hand*, near *Finford Bridge*, in the County of *Warwick*, through the Town of *Southam* in the same County, to the Borough of *Banbury* in the County of *Oxford*, and from the *Guide Post* in the Village of *Adderbury* in the same County, through *Kidlington*, to the *Mile-way* leading towards the City of *Oxford*; and also the Road leading from a Place called the *Two Mile Tree* near the City of *Oxford*, over *Gosford*, otherwise *Gossard Bridge*, to a certain A. D.
1754-5.

¹ This Act was repealed by 9 Geo. 4. c. 61. s. 35 (*infra*).

Cap. 46] *Finford Bridge, Adderbury, and* [28 GEO. 2
Weston on the Green Roads.

A. D.
1754-5.

Gate entering upon *Weston on the Green* in the said County.

[Section 1 appoints 'the Vice Chancellor of *Oxford* for the time being, the Mayor, Recorder, Aldermen, and Assistants of the City of *Oxford*, for the time being; the Mayor, Recorder, and Justices of the Borough of *Banbury* for the time being'; with other persons trustees for executing the Act so far as it relates to the road from the Guide Post in Adderbury to the Mileway, and from the Two Mile Tree to the Gate entering upon *Weston on the Green*.

Section 29 imposes a property qualification on the trustees. Section 42 provides that the Act shall be in force from the 2nd of June, 1755, for the term of twenty-one years and from thence to the end of the then next session of Parliament.¹

Section 51 declares the Act to be a public Act.]

29^o GEO. II. CAP. LXXXI.

A. D.
1755-6.

An Act for amending and keeping in Repair the Roads leading from a Place called *Fryer Bacon's Study* to *Chilton Pond*; and from the Top of *Hinksey Hill* to *Foxcombe Hill Gate*, in the Road leading to *Farringdon* in the County of *Berks*.

[Section 1 appoints with other persons 'James Gilpin Esquire, Recorder of the City of *Oxford*'; and the Recorder of the said City for the time being', 'the

¹ This Act, so far as it related to the road from Two Mile Tree to the gate entering upon *Weston on the Green*, was repealed, but as to its other provisions continued by 17 Geo. 3. c. 87. s. 9 (*infra*). So far as it related to the Road from the Guide Post in Adderbury to the Mileway leading towards *Oxford*, it was repealed, from the 1st of June, 1797, by 37 Geo. 3. c. 170. s. 1 (*infra*). So far as it related to the road from the Cross of Hand to *Banbury* it was continued by 20 Geo. 3. c. 69 and 42 Geo. 3. c. 14 and repealed by 4 Geo. 4. c. xcv.

A. D.
1755-6.

Reverend *George Huddesford* D.D. Vice Chancellor of the University of *Oxford*, and the Vice Chancellor of the said University for the time being,' '*George Nares* Esquire Town Clerk of the City of *Oxford*, and the Town Clerk of the said City for the time being,' 'the Vice Chancellor and Heads of Colleges and Halls in the University of *Oxford* for the time being, the Members in Parliament for the University and City of *Oxford* for the time being, the Deans and Canons of *Christ Church* in the said University of *Oxford* for the time being, the Proctors of the said University for the time being, the several Professors of Divinity, Physick, Law, Hebrew, Astronomy, Philosophy, and Greek, for the time being; and the *Margaret* Professor for the time being,' and '*William Wickham* Esquire, Mayor of the City of *Oxford*; and the Mayor, Aldermen, Burgesses, and Assistants of the City of *Oxford* for the time being', trustees for executing the Act.

Section 2 imposes a property qualification on the trustees.

Section 43 provides that the Act shall commence on the 24th April of 1756 and continue for the term of twenty one years and from thence to the end of the then next session of Parliament.¹

Section 45 declares the Act to be a public Act.]

29 GEO. II. Cap. 26,

An Act for enabling the Master and Fellows of *Katherine Hall*, in the University of *Cambridge*, to purchase, settle, and dispose of Tenements and Grounds for the making and erecting an additional Building to their College or Hall, for the Reception and Maintenance of Six Fellows and Ten Scholars, founded by the Will of *Mary Ramsden*, deceased; and for empowering any

¹ This Act was continued by 18 Geo. 3. c. 99 (*infra*). For its further continuance see notes to that Act and 59 Geo. 3. c. lxxxiv (*infra*).

A. D.
1755-6.

Corporation within the said University, to sell and convey other Lands and Tenements, for that and other Purposes in the said Act mentioned.

[This Act recites the will of Mary Ramsden dated the 3rd of November 1743 devising and bequeathing her real and personal estate to trustees upon trust after the payment of certain annuities and legacies to accumulate the income, and directing that after the annuitants were all dead and a site of ground had been purchased or procured for erecting a building to accommodate six fellows and ten Scholars in Katherine Hall the trustees should convey the real and personal estate to the Master and Fellows of Katherine Hall to be employed in erecting buildings on the site purchased and for other uses in accordance with certain Rules and Orders referred to by the will. The Act further recites that by the Rules and Orders preference was given to a site between the College and Trumpington Street, and that if houses belonging to the College on that site were taken full compensation should be paid to the College out of the testatrix's estate; that certain proceedings had been taken in the Court of Chancery for the purpose of executing the trusts of the will; that with the approbation of the Court the College had purchased the site above mentioned; that it would be necessary in order to make way for the new building to pull down part of the existing College, and to purchase land belonging to Queens' College and possibly other lands belonging to other Colleges.

The Act then empowers Queens' College and other Corporations and persons to sell and convey to Katherine Hall such houses and ground as might be necessary and convenient for erecting the new building, and for enlarging Katherine Hall and making the approach and other conveniences more commodious and ornamental. The contracts to be made with the approbation of the

Court, and the consideration for houses or ground purchased for additions other than the Ramsden Building to be paid by the College; and the College to be compensated for buildings belonging to it taken for the purpose of the Ramsden building.

A. D.
1755-6.

The Act also authorizes the pulling down of Norton Hall on the Ramsden estate in Yorkshire and the erection of a farm house with the materials.]

30^o GEO. II. CAP. XIX.

An Act for granting to His Majesty several Rates and Duties upon Indentures, Leases, Bonds, and other Deeds; and upon News Papers, Advertisements, and Almanacks; and upon Licences for retailing Wine; and upon Coals exported to Foreign Parts; and for applying, from a certain Time, the Sums of Money arising from the Surplus of the Duties on Licences for retailing Spirituous Liquors; and for raising the Sum of Three Millions, by Annuities, to be charged on the said Rates, Duties, and Sums of Money; and for making perpetual an Act made in the Second Year of the Reign of His present Majesty, intituled, *An Act for the better Regulation of Attornies and Solicitors*; and for enlarging the Time for Filing Affidavits of the Execution of Contracts of Clerks to Attornies and Solicitors; and also the Time for Payment of the Duties omitted to be paid for the Indentures and Contracts of Clerks and Apprentices.¹

A. D.
1756-7.

¹ The duties imposed by this Act were repealed by 30 Geo. 3. c. 38. s. 1 (*infra*), and, its provisions having been superseded by subsequent legislation, the Act was formally repealed by the S. L. R. Act 1870.

A. D.
1756-7.

[Duties are imposed by this Act on inter alia almanacs and wine licences. The power of granting wine licences is transferred to the Commissioners of Stamps from the agents or Commissioners appointed under 12 Car. 2. c. 25 (*supra*), which Act by section 7 is repealed from the 5th of July, 1757, except so much thereof as related 'to the preventing Abuses in the mingling, corrupting, and viciating of Wines, and to settling and limiting the Prices of the same'.]

IX.
Privileges
of the Uni-
versities
reserved
to them.

Provided always, That this Act, or any thing herein contained, shall not in any wise be prejudicial to the Privileges of the Two Universities in that Part of *Great Britain* called *England*, or either of them, nor to the Chancellors or Scholars of the same, or their Successors, but that they may use and enjoy such Privileges as they have heretofore lawfully used and enjoyed; any thing herein contained to the contrary notwithstanding.

30^o GEO. II. CAP. XXV.

An Act for the better Ordering of the Militia Forces in the several Counties of that Part of *Great Britain* called *England*.¹

[Section 25 gave to 'every Man having personally served in the Militia, when called out and assembled in case of actual Invasion, or upon imminent Danger thereof, or in case of Rebellion, and being a Married Man', the right to set up a trade in any town or place in *Great Britain* or *Ireland*, 'as freely, and with the same Provisions, and under the same Regulations, and with the like Exception in respect of the Two Universities of

¹ This Act was repealed by 2 Geo. 3. c. 20. s. 144. Section 25 was in effect re-enacted by s. 79 of the repealing Act, by s. 131 of 26 Geo. 3. c. 107, and by s. 175 of 42 Geo. 3. c. 90 (*infra*), Acts successively in force for regulating the militia. For trade privileges of militia men who had served in war see note to 22 Geo. 2. c. 44 (*supra*).

that Part of *Great Britain* called *England*, as any
Mariner or Soldier may do' under 22 Geo. 2. c. 44
(*supra*).]

A. D.
1756-7.

31^o GEO. II. CAP. XXVI.

An Act to explain, amend, and enforce an Act
made in the last Session of Parliament, intituled,
*An Act for the better Ordering of the Militia
Forces in the several Counties of that Part of
Great Britain called England*.¹

A. D.
1757-8.

[Section 12 provides that among others 'no Peer . . . nor
any Person being a Member of either of the Univer-
sities . . . shall serve personally, or provide a Substitute
to serve in the Militia'.]

31^o GEO. II. CAP. XXIX.

An Act for the due making of Bread; and to regu-
late the Price and Assize thereof; and to punish
Persons who shall adulterate Meal, Flour or
Bread.²

[Section 1 continues 8 Ann. c. 19 [c. 18., Ruff.] (*supra*)
till the 29th of September, 1758, and repeals it from
that date; and the Act substitutes other provisions for
regulating the Assize of Bread.]

Provided likewise, That neither this Act, nor any Thing
herein contained, shall extend, or be construed to extend,
to prejudice the ancient Right or Custom of the Two Uni-

XLIV.
Reserva-
tion of
Rights

¹ This Act was repealed by 2 Geo. 3. c. 20. s. 144. Section 12 was
in effect re-enacted by s. 43 of the repealing Act and by subsequent Acts for
regulating the militia, viz. 26 Geo. 3. c. 107. s. 27, 37 Geo. 3. c. 3. s. 18 and
the two Acts (*infra*) now in force with regard to the ballot, 42 Geo. 3. c. 90.
s. 43 and 52 Geo. 3. c. 38. s. 38. See also (*infra*) 37 Geo. 3. c. 6 and 43 Geo. 3.
c. 82. The exemption in and after 37 Geo. 3 is expressly limited to *resident*
members of the University.

² This Act was repealed by 6 and 7 Will. 4. c. 37. s. 1 (*infra*).

A. D.
1757-8.
to the Uni-
versities of
Oxford and
Cambridge,
to set an
Assize of
Bread
within
their Juris-
dictions ;

and punish
any Breach
thereof.

versities of *Oxford* or *Cambridge*, or either of them, or of their or either of their Clerks of the Market, or the Practice within the several Jurisdictions of the said Universities, or either of them, used, to set, ascertain, and appoint, the Assize and Weight of all Sorts of Bread to be sold or exposed to Sale within their several Jurisdictions ; but that they, and every of them, shall and may severally and respectively, from time to time, as there shall be Occasion, set, ascertain, and appoint, within their several and respective Jurisdictions, the Assize and Weight of all Sorts of Bread to be sold or exposed to Sale by any Baker or other Person whatsoever, within the Limits of their several Jurisdictions ; and shall and may inquire and punish the Breach thereof, as fully and freely in all Respects as they used to do, and as if this Act had never been made ; any thing herein contained to the contrary thereof notwithstanding.

32^o GEO. II. CAP. X.

A. D.
1758-9.

An Act for granting to his Majesty a Subsidy of Poundage upon certain Goods and Merchandizes to be imported into this Kingdom ; and an additional Inland Duty on Coffee and Chocolate ; and for raising the Sum of Six millions six hundred thousand Pounds, by way of Annuities and a Lottery, to be charged on the said Subsidy and additional Inland Duty.¹

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VI.
Drawback
of the
Duty
allowed
on Paper
used in
printing
Books in
the learned
Languages

Provided always, and be it enacted by the Authority aforesaid, That so much Money as shall, from time to time, be paid for the Duties granted by this or any former Act or Acts of Parliament whatsoever, for any Quantities of Paper which shall be used in printing any Books in the Latin, Greek, Oriental, or Northern Languages, within the Two Universities of *Oxford* or *Cambridge*, or either of them,

¹ The duties imposed by this Act were repealed by 21 Geo. 3. c. 24. s. 1 (*infra*).

by Permission of the Vice Chancellors of the same respectively, shall and may be drawn back and repaid in such Manner as is prescribed by an Act made in the Tenth Year of the Reign of Queen *Anne*, intituled *An Act . . . Publick*.¹

A. D.
1758-9.
in both
Universi-
ties;
as is pre-
scribed
by Act 10
Annæ.

[Section 7 gives a like drawback to the Scotch Universities.]

32^o GEO. II. CAP. XIX.

An Act to explain and amend an Act passed in the Thirtieth Year of His present Majesty's Reign, for granting to His Majesty several Rates and Duties upon Indentures, Leases, Bonds, and other Deeds; and upon News Papers, Advertisements, and Almanacks; and upon Licences for retailing Wine; and other Purposes in the said Act mentioned; so far as the same relates to some Provisions with regard to Licences for retailing Wine; and to preserve the Privileges of the Two Universities in that Part of *Great Britain* called *England*, with respect to Licences for retailing Wine.²

Provided always, and be it further enacted by the Authority aforesaid, That nothing in this or any former Act of Parliament, relating to Wine Licences, shall in any wise be prejudicial to the Privileges of the Two Universities in that Part of *Great Britain* called *England*, or either of them, or to the Chancellors or Scholars of the same, or their Successors, but that they may use and enjoy such Privileges as they have heretofore lawfully used and enjoyed; any thing to the contrary thereof in any wise notwithstanding.

IV.
Privileges
of the Two
Universi-
ties re-
served
to them.

¹ The section sets out at full length the title of 10 Ann. c. 18 [c. 19., Ruff.] (*supra*).

² The Act amended (30 Geo. 2. c. 19) having been superseded by subsequent legislation was with this Act formally repealed by the S. L. R. Act 1870. See note to 30 Geo. 2. c. 19 (*supra*).

32^o GEO. II. CAP. XXXIII.

A. D.
1758-9.

An Act to explain and amend an Act made in the last Session of Parliament, intituled *An Act for granting to His Majesty several Rates and Duties upon Offices and Pensions; and upon Houses; and upon Windows or Lights; and for raising the Sum of Five Millions by Annuities and a Lottery, to be charged on the said Rates and Duties; so far as the same relates to the Rates and Duties on Offices and Pensions.*¹

[The Act explained and amended by this Act was 31 Geo. 2. c. 22, which granted inter alia a duty of one shilling in the pound on offices and employments of profit in Great Britain and pensions and gratuities derived from Crown revenues, exceeding £100 a year value, in addition to the land tax and to the duty of sixpence in the pound payable under 7 Geo. 1. St. 1. c. 27 on pensions and offices derived from the Crown.]

XIII.
and Offices
in both
Univer-
sities.

Provided always, and be it further enacted by the Authority aforesaid, That nothing in this Act contained shall extend, or be construed to extend, to charge any Offices or Employments in either of the Two Universities in that Part of *Great Britain* called *England*, with the Duty by this Act imposed.

¹ This Act and the previous Acts referred to, so far as they related to the duties of sixpence and one shilling on offices and pensions, were repealed by 48 Geo. 3. c. 2. s. 17. The duties were reimposed for one year by s. 18 of the repealing Act, s. 42 of which provided that they should not be deducted or assessed 'in respect of any Office or Employment of Profit, or upon any Annuity, Pension, Stipend, or other yearly Payment in any case in which the Pension, Annuity, Salary, Wages, Fees, Perquisites, Gratuities, Stipend, or other Payment yearly or otherwise shall have been specially exempted from any or either of such Duties, or from the Payment of any Aids or Taxes by any Act of Parliament'. By 49 Geo. 3. c. 32 (*infra*) the duties were made perpetual, and by 39 & 40 Vict. c. 16, s. 12 as explained by 40 & 41 Vict. c. 10, were extinguished in cases where they were assessed by Land Tax Commissioners, but not where deducted before payment out of public revenue.

33^o GEO. II. CAP. XX.

An Act to enforce and render more effectual the Laws relating to the Qualification of Members to sit in the House of Commons.¹

A. D.
1759-60.

[This Act requires Members to deliver to the Clerk of the House of Commons a schedule of qualifying property, and to verify the qualification by oath.]

Provided always, That nothing in this Act contained shall extend to the eldest Son or Heir Apparent of any Peer or Lord of Parliament, or of any Person qualified to serve as a Knight of the Shire, or to the Members for either of the Universities in that Part of *Great Britain* called *England*, or to the Members for that Part of *Great Britain* called *Scotland*.

III.
Persons
excepted
out of the
General
Qualifica-
tion.

33^o GEO. II. *Cap. 52.*

An Act for vesting the Inheritance of the Rectory and Tithes of *Bedgeworth*, granted, by King *Henry* the Eighth, to the late dissolved Corporation of *Bergavenny*, and by them leased to *Jesus College*, in *Oxford*, towards maintaining a Fellow and Scholars from *Bergavenny School*, and for vesting other Rectories and Tithes, in the County of *Monmouth*, granted, by the said King *Henry*, to the said Corporation, in Trustees, for supporting the said School, and for Relief of the Poor of the said Town.

[This Act recites *inter alia* that King *Henry* the Eighth by Letters Patent of the 24th of July in the 34th year of his reign (1542) founded *Bergavenny School*, and as an endowment for the same conveyed subject to fee farm rents certain rectories and tithes including the rectory of *Bedgeworth*, Gloucestershire, to the corporation of the town of *Bergavenny*:

¹ This Act was repealed by 1 & 2 Vict. c. 48. s. 1 (*infra*), and again by 21 & 22 Vict. c. 26.

A. D.
1759-60.

that by indenture of the 10th of May 1664 the said Corporation on the recommendation of King Charles the Second granted a lease of the Rectory of Bedgeworth to Jesus College, Oxford, for ninety nine years at a rent of £50 a year payable from the expiration or determination by surrender, forfeiture, or avoidance of a 'pretended Lease' of the 21st of December in the 27th year of Queen Elizabeth (1584) for ninety nine years to William Herbert and Richard Baker; the College to pay in addition to the £50 one moiety of the amount by which the improved rent should at any time exceed £160 and to elect and maintain one Fellow and one Scholar to be called 'The Fellow and Scholar of Bergavenny', to be elected out of the School, only natives of the Town of Bergavenny or County of Monmouth to be eligible, and preference to be given, as between those qualified, to sons of members of the said Corporation; the fellow and scholar to have all the rights of fellows and scholars of the College, save that if a fellow were elected and admitted direct from the school he should for the first two years receive double the allowance of a scholar and only the privileges of a scholar, for the next two years the stipend but not the privileges of a fellow, the latter of these two years being reckoned as his year of probation, and none to be complete fellow till he should be complete Bachelor of Arts; neither fellowship nor Scholarship to be tenable for more than fourteen years from the fellow's or scholar's first admission to the College; the College to give yearly £10 to be divided between two scholars of the School to be selected by the College at the time of Visitation of the School as most hopeful and indigent, to visit the School yearly on or within eight days after Michaelmas day, and then there to elect to any vacancies in the fellowship or scholarship 'with the same Solemnity, and according to the same way or Method (as near as may be) as is used by the Visitors or Electors of the Schools of Winchester, Eaton, and Westminster':

that the lease to William Herbert and Richard Baker determined in 1684 and from that date the College received the profits and produce of the rectory :

A. D.
1759-60.

that about the beginning of the reign of King William the Third the charter of the town of Bergavenny was forfeited and the corporation dissolved, and no person being authorized to receive the rent of £50 the College paid it to the Schoolmaster, and duly elected a fellow and scholar from the school from time to time, paying to the former £20 and to the latter £10 a year, and admitting them to all privileges, so that the former if resident received *communibus annis* about £45 and the latter, if resident, about £15 a year; and that the College had also paid the £10 yearly to two scholars of the school, and the amount due to the Crown for fee farm rent :

The Act further recites certain proceedings in Chancery with reference to the forfeiture of the rectories and tithes granted by Henry the Eighth including the reversion of Bedgeworth rectory which would fall in in 1763.

The Act then *inter alia* vests the Rectory of Bedgeworth in the College from the 24th of June 1760 'as part of the Inheritance and possessions of the said College for ever'; the College to pay to the schoolmaster of Bergavenny School £40 a year, to each Fellow and Scholar elected from Bergavenny School a Stipend Share and dividend equal to those of the other fellows and scholars, such fellow and scholar to hold for the same time and on the same terms as the others and to have the same privileges; the existing fellow and scholar to be continued on these terms; the College to pay exhibitions of £5 each to two scholars of the school; the Master of the school to be elected by the College (jointly with the Vicar of Bergavenny, if resident in the parish), and, in default of election within two months, by the Bishop of Llandaff; preference to be given first to fellows, then to scholars of the College, then to present or past members of the College educated therein being

A. D.
1759-60.

graduates of the University of Oxford; the Vicar, if resident, and the College to admonish the schoolmaster in case of failure in his duties and on a second offence he is to be *ipso facto* deprived and a new schoolmaster to be appointed; the fellow and scholar to be each qualified for election by having been educated in the school for the two years preceding his admission to the College and being a native of Bergavenny or Monmouthshire, a native of Bergavenny being preferred; if there should be no one qualified, the fellowship or scholarship to be kept void till such time as there is a qualified candidate; the Principal Fellows and Scholars or any two or more of them to visit the school once in three years or oftener between the 1st of July and 29th of September and then and there to reform or correct any Abuses Omissions or Misapplications that may have happened in or about the said School or the Management or Concerns thereof and to make constitute and ordain any new Orders and Regulations for the better regulating and managing the same, and to elect the Exhibitioners, who in years when no visitation is made are to be nominated by the Principal; the payment of the fee farm rent to the Crown to be continued.^{1]}

¹ The Ordinance made for Jesus College in 1857 allowed the College to give a preference as regards one moiety of the fellowships to natives of Wales or Monmouthshire able to speak Welsh, but abolished all other preferences for election to fellowships by reason of birth or place of education. A preference for election to all scholarships except those of Sir John Walter and Bishop Westphaling, of Richard Budd, and of King Charles the First, was given to persons being natives of Wales or Monmouthshire or educated for the four years preceding the election (or preceding matriculation, if already members of the University) at Abergavenny, Bangor, Beaumaris, or Bottwnog Grammar School, or Cowbridge Free School, or such other school in Wales or Monmouthshire as the President and Fellows might admit to the privilege. All other preferences for election to any scholarships, except King Charles the First's Scholarships, by reason of birth or place of education were abolished. [See Clauses 12 and 29 of the Ordinance.]

By the Statutes of the College approved in 1882 no special preference as regards any scholarships or fellowships is reserved for those educated at Abergavenny School; but a certain proportion of the foundation scholarships and non-official fellowships are to be awarded with a preference for persons connected with Wales or Monmouthshire by birth, place of education,

2^o GEO. III. CAP. XLI.

An Act for rendering more effectual several Acts passed in the Fifth Year of His late Majesty King *George* the First, and the Thirteenth Year of His late Majesty King *George* the Second, for repairing the Roads from the Top of *Stokenchurch Hill* to *Enslow Bridge*, through the City of *Oxford*, by *Begbrooke*, to *New Woodstock* in the County of *Oxon*; and for repairing the Road from the *Crown Alehouse*, to the Turnpike on *Stokenchurch Hill* aforesaid; and for repairing the Mile-ways on each Side of the said City, as therein mentioned.

A. D.
1761-2.

[Section 1 appoints the persons appointed and elected by and under 5 Geo. I. c. 1 and 13 Geo. 2. c. 15 (*supra*) and certain named persons and 'the Vice Chancellor of the University, and the Mayor and Recorder of the City of *Oxford*, for the time being' 'Trustees for amending, widening, and keeping in Repair the said

residence of parents, or knowledge of the Welsh language. [See Statute IV. Clauses 4, 5, 6, 9, 31, 37, and Statute V. Clause 2.]

Statute IX. Clause 8 is as follows:—

'The Principal and Fellows may also, if and so long as the College is represented on the Governing Body of Abergavenny School, pay out of the general revenues of the College for the benefit of Abergavenny School a yearly sum which shall not, together with the sum of 50*l.* per annum now payable to the said School by the College, exceed 150*l.* per annum. Such yearly payments may be apportioned between an augmentation of the Schoolmaster's stipend, and Exhibitions to Scholars at Abergavenny School, as to the Principal and Fellows shall seem fit.'

A Scheme for Abergavenny Grammar School was made by the Charity Commissioners and approved by the Queen in Council on the 23rd of June 1891, by which it was provided that the yearly sums paid by Jesus College of £40 to the Headmaster and £5 each to two scholars of the School in respect of the Rectory of Bedgeworth with other endowments of the School and Abergavenny Charity should be one foundation to be administered under the Scheme. This Scheme did not provide that any representative governors should be appointed by the College; the power to appoint and dismiss the Headmaster was vested in the Governors, no preference for the post being reserved to members of the College; and the Visitorship was transferred to the Crown, to be exercised by the Charity Commissioners.

A. D.
1761-2.

Roads; and also for putting in Execution all the Powers hereby given and granted.'¹

Sec. 2 imposes a property qualification on the trustees.]

XXXVII. And whereas by an Act made in the Eighteenth Year of the Reign of Queen *Elizabeth*, intituled, *An Act for the repairing and amending of the Bridges and Highways near unto the City of Oxford*²; and by another Act made in the Thirty fifth Year of the same Queen, intituled, *An Act for the Reviving, Continuance, Explanation, and Perfecting of divers Statutes*³; (which said Acts are continued indefinitely by Two other Acts, one made in the Third, and the other in the Sixteenth Year of the Reign of King *Charles* the First⁴) it is provided and enacted, That every Person having One Yard-Land, or more, in his Possession, lying within Five Miles of the University and City of *Oxford*, or the Franchises of the same, shall for every Yard-Land perform such personal Duty as in the said Acts is mentioned, or in lieu thereof shall make certain annual Payments, specified in the said Acts, unto the Vice Chancellor and Mayor of the same University and City for the time being, or their Deputy or Deputies, towards the amending of the Bridges and Highways lying and being within One Mile of the said City of *Oxford*, with Remedy by Distress for such Sums as shall be due, and not paid as aforesaid: And whereas the Wear of the said Mile-ways has been greatly increased by the Number of heavy Carriages passing and repassing thereon since the Establishment of Turnpike Roads at their several Extremities, so that considerable Debts have been contracted for the Repairs of the same, a large Part whereof is still due and owing, notwithstanding that the said Mile-ways are in general very ruinous and out of Repair: And whereas it will be most

¹ There is no express continuance of 5 Geo. 1. c. 1 and 13 Geo. 2. c. 15 (*supra*), and the Act grants fresh tolls and powers. But it appears by the preamble to 18 Geo. 3. c. 91 (*infra*) that all three acts were considered to be still in force in 1778. They were repealed as from the 22nd of June, 1778, by 18 Geo. 3. c. 91. s. 1.

² 18 Eliz. c. 20 (*supra*).

³ 35 Eliz. c. 7 (*supra*).

⁴ 3 Car. 1. c. 5 [c. 4., Ruff.], and 16 Car. 1. c. 4.

convenient for the Publick, and also for the said University and City, that the Expenditure of the Sums collected and paid for and in respect of the several Mile-ways, beginning from, and ending at, the respective Roads by this Act directed to be repaired, should be under the Direction and Management of the Trustees for putting this Act in Execution ; be it therefore enacted by the Authority aforesaid, That from and after the Fifth Day of *July*, in the Year of our Lord One thousand seven hundred and sixty two, it shall and may be lawful to and for the Vice Chancellor and Mayor of the said University and City of *Oxford* for the time being, and they are hereby impowered, directed, and required, to nominate, depute, and appoint, such Person or Persons as, from time to time, for and during the Term of Years herein after created and granted, shall be chosen and recommended by the said Trustees for putting this Act in Execution, or any Five or more of them, at any General Meeting (whereof Ten Days Notice in Writing shall be affixed upon each of the said Turnpikes) which said Trustees are hereby impowered, directed, and required to make such Recommendation and Choice ; and also to discontinue the same, and to recommend another Person or Persons whenever they shall judge it convenient ; and such Deputy or Deputies so to be appointed as aforesaid, shall annually receive and collect the several Sums of Money now usually received and collected by virtue of the said Acts of Parliament, of and from the several Parishes and Townships in the County of *Oxford* following ; that is to say, Of *Cassington* Five Pounds ; *Yarnton* Six Pounds, Thirteen Shillings, and Four Pence ; *Godstowe* and *Wolvercote* Seven Pounds, Fifteen Shillings, and Eight Pence ; *Ellsfield* Two Pounds, Four Shillings, and Five Pence ; *Woodeaton* Two Pounds ; *Foresthill* Two Pounds ; *Beckley* Two Pounds, Ten Shillings ; *Marston* Three Pounds ; *Islip* Three Pounds ; and *Wheatley* Three Pounds ; which said Sums shall be applied, in the First Place, in and to the Payment and Discharge of the sum of Fifty one Pounds,

A. D.
1761-2.

Expenditure of the Money for Repair of the Mile-ways, to be under the Direction of the Trustees of this Act. Vice Chancellor and Mayor to depute a Person, recommended by the Trustees, to collect the annual Payments from the several Parishes, &c.

The Sums to be paid by the several Parishes and Townships.

Application of the Monies

A. D.
1761-2.

being a rateable Part of the Debt now due and owing upon the Credit of the said whole Collection; and from and after such Payment and Discharge, shall be punctually and faithfully expended in the Repairs of the said Mileways, beginning from, and ending at, the respective Roads by this Act directed to be repaired, and in no other Manner whatsoever.

XXXIX.
Trustees
to have
no Power
over the
said Mile-
ways, &c.
other than
what shall
be granted
them by
the Vice
Chancellor
and Mayor.

Provided also, That nothing herein contained shall extend, or be construed to extend, to give the said Trustees, or any of them, or the Person or Persons so to be deputed as aforesaid, any Power or Authority over the said Mileways, or the Lands adjoining to the same, other than and except such Power and Authority as the Vice Chancellor and Mayor of the said University and City, and their Deputy or Deputies, might or could have exercised by virtue of the said Acts of Parliament herein before recited; any thing herein contained to the contrary thereof notwithstanding.

[Section 42 provides that the Act shall continue in force from the 3rd of June, 1762, for the term of twenty-one years and from thence to the end of the then next Session of Parliament.¹

Section 44 declares the Act to be a public Act.]

2^o GEO. III. *Cap. 37.*

AN ACT FOR Vesting all the Real and Personal Estates late of *Elizabeth Morgan*, Widow, deceased, in *Elizabeth Mackenzie*, Wife of *George Mackenzie*, Esquire, her Niece, Heir at Law, and only next of kin, discharged from all Right, Claim, and Interest of the Master and Fellows of *Gonville and Caius College* in the University of *Cambridge*.

[This Act confirmed a compromise of litigation with regard to the validity of the will and codicil of

¹ See p. 68, note 1 (*supra*).

Elizabeth Morgan, by which she had devised all her real estate subject, to a life interest, to Gonville and Caius College, and bequeathed the residue of her personalty to a late fellow of the College who had made the College his residuary legatee. The testatrix had been some years after the date of the codicil found a lunatic. By the terms of the compromise the College abandoned all claims under the will, receiving £1500 in discharge of such claims and of £764 17s. 8d. due for principal and interest on a bond or note of the testatrix held by the College.]

A. D.
1761-2.3^o GEO. III. CAP. XI.

An Act for explaining and amending an Act made in the Thirty first Year of the Reign of His late Majesty King *George* the Second, intituled, *An Act for the due making of Bread, and to regulate the Price and Assize thereof; and to punish Persons who shall adulterate Meal, Flour or Bread.*¹

A. D.
1762-3.

[Section 25 is a repetition with immaterial verbal variations of 31 Geo. 2. c. 29. s. 44 (*supra*) saving the jurisdiction of the Universities or their Clerks of the Market with regard to the assize and weight of bread. This section omits the word 'assize', only mentioning 'weight'.]

3^o GEO. III. CAP. XXXVI.

An Act for repairing, widening, turning, and keeping in Repair, the Road from the Town of *Cambridge* to *Ely*, and from thence to *Soham*; and for building a Bridge cross the River *Ouze*, at or near a Place called *Stretham Ferry*, in the County of *Cambridge*.

¹ This Act was repealed by 55 Geo. 3. c. xcix. s. 1. as to London, and by 59 Geo. 3. c. 36. s. 1 (*infra*), as to other places.

A. D.
1762-3.

[Section 1 appoints 'the Heads of all the Colleges and Halls in the University of *Cambridge*, now and for the time being; the Mayor, Aldermen, Recorder, and Deputy Recorder of the Town of *Cambridge*, now and for the time being' with other named persons trustees for executing the Act.

Section 2 imposes a property qualification on the trustees. Section 68 provides that the Act shall continue for twenty-one years from its passing¹ and from thence to the end of the then next Session of Parliament.

Section 70 declares the Act to be a public Act.]

3^o GEO. III. *Cap.* 35.

An Act to enable the Master, Fellows, and Scholars of the College of *Clare-Hall*, in the University of *Cambridge*, to alter and vary the Benefaction of Doctor *Blyth*, and to appropriate the same for the Benefit of the said College, in the Augmentation of the Vicarages of *Everton* with *Tetworth*, and *Great Gransden*, in the Counties of *Bedford* and *Huntingdon*.²

[This Act recites that long before 1713 the College became seized of five advowsons, of which two, namely *Everton* with *Tetworth*, and *Great Gransden*, were of such small value as to be tenable with fellowships; that in 1713 Dr. Samuel Blithe, otherwise Blyth, Master of the College, gave and devised his real and personal estate, subject to certain legacies and an annuity, to the College, the income thereof to be applied in the purchase of advowsons and livings of the

¹ The Act was passed 24th March, 1763. It was amended by 5 Geo. 3. c. 79, 10 Geo. 3. c. 97 (*infra*), and 44 Geo. 3. c. 70 (*infra*), and continued by the first of those Acts for twenty-one years from the expiration of the original term and from thence to the end of the then next Session of Parliament, and by 44 Geo. 3. c. 70 for twenty-one years from the passing of that Act, and to the end of the then next Session. It was repealed by 5 Geo. 4. c. lx. which established three sets of trustees of the roads, none of them including any *ex officio* representatives of the University or Colleges.

² This Act was repealed by 6 Geo. 4. c. 70 (*infra*) and other provisions substituted; and see further as to Dr. Blyth's Foundation 29 & 30 Vict. c. 2 (*infra*).

A. D.
1762-3.

yearly value of £150 or within £10 more or less of £150 in order to promote vacancies of fellowships, the presentations to be offered first to fellows of the Old Foundation and afterwards to Fellows of the Earl of Exeter's Foundation; that before the 24th of June 1736 when the Mortmain Act (9 Geo. 2. c. 36 (*supra*)) came into operation the College had purchased ten advowsons making fifteen in all held by them being more than equal in number to one moiety of the fellowships, and therefore were by the said Act prohibited from purchasing any more advowsons; and that they held certain freehold and leasehold estates of the annual value of £200 or thereabouts and a sum of £1500 Bank Stock purchased with money arising from the Blyth Foundation.

The Act provides for the sale of the Bank Stock and purchase of lands with the proceeds of sale, and the application of the rents and profits of such lands and the other lands held subject to the trusts of the will in the payment of a yearly sum of £15 to the Vicar of Great Grandsden and of the balance of the income to the Vicars of Great Grandsden and of Everton with Tetworth in equal shares—the livings to be no longer tenable with fellowships, and the fellowships then held by the vicars to become void.]

3^o GEO. III. *Cap. 36.*

An Act to Enable the Master, Fellows, and Scholars of *Jesus College*, in the University of *Cambridge*, to alter and vary the Benefaction of Docter *Edmund Proby* and Sir *Thomas Proby*, and to appropriate the same for the Benefit of the said College in the Augmentation of several small Rectories and Vicarages.¹

[This Act recites that *Jesus College* held the advowsons of eleven rectories and vicarages all of such small

¹ This Act was repealed partly by 2 & 3 Will. 4. c. 43 (*infra*), and the rest by 16 & 17 Vict. c. 17 (*infra*).

A. D.
 1762-3.

value as to be either tenable with fellowships or not worth acceptance by fellows; that by the will and codicil of Dr. Edmund Proby made in 1674 and 1676 respectively the sum of £1200 had been bequeathed on trust to found two fellowships in the College, or, if the College should refuse this, to provide a fund for augmenting livings in the gift of the College by buying land or an impropriation and accumulate the income thereof for buying other impropriations from time to time and settling them on the Vicars or curates respectively, and for buying advowsons and settling them on the College; that before the 24th of June 1736 when the Mortmain Act (9 Geo. 2. c. 36 (*supra*)) came into operation, four advowsons had been purchased of livings of such value or at such distance as not to be tenable with fellowships, making a total of fifteen advowsons held by the College, being more in number than a moiety of the fellowships; and that, the purchase of more advowsons for the College being prohibited by the said Act, a sum of £1076 three per cent. Bank annuities and other sums of money had accumulated.

The Act authorizes the application of the Benefaction first in augmenting the Rectories of Harlton and Gravely and the Vicarage of Elmstead, successively in such order as the College thinks proper, to such amount as will make them worth £170 a year, then in augmenting the Vicarage of Swavesey in like manner, then in further augmenting the Rectories of Harlton and Gravely, successively in such order as the College thinks proper, to the full value of £200 a year, then in augmenting the Vicarage of Elmstead in like manner, and then for the augmentation of the Vicarage of Swavesey and of the other seven livings. Within twelve months after any of the livings of Harlton Gravely Elmstead or Swavesey becomes worth £170 a year the fellowship held therewith is to be vacated and the living to be no longer tenable with a fellowship.]

4 GEO. 3.] *All Souls College. East Lockinge* [Cap. 26
Rectory.

4^o GEO. III. *Cap. 26.*

An Act for annexing the Rectory of East Lockinge, in the County of Berks, to the Office of Warden of the College of the Souls of all Faithful People deceased, of Oxford.¹

A. D.
 1763-4.

WHEREAS Stephen Niblett Doctor in Divinity Warden and the College of the Souls of all faithful People deceased of Oxford are seised in Fee-simple of the Advowson and Patronage of and to the Rectory of East Lockinge in the County of Berks and Diocese of Sarum and did on or about the Sixth Day of September in the Year of Our Lord One thousand Seven hundred and Twenty nine nominate and present the said Stephen Niblett then and now Warden of the said College to the said Rectory of East Lockinge who was duly instituted and inducted thereunto and still continues Rector thereof AND WHEREAS the said Warden and College are willing and desirous that the said Rectory of East Lockinge should be for ever hereafter inseparably annexed and united to the Office of Warden of the said College for the better Support and Maintenance of the same May it therefore please Your Most Excellent Majesty at the humble Petition of the said Stephen Niblett Doctor in Divinity Warden and the College of the Souls of all faithful People deceased of Oxford That it may be Enacted AND be it ENACTED by the King's Most Excellent Majesty by and with the Advice and Consent of the Lords Spiritual and Temporal and Commons in this present Parliament Assembled and by the Authority of the same That the said Rectory of East Lockinge and all Members Tythes Lands Tenements Hereditaments Profits and Emoluments whatsoever to the same belonging or in any wise appertaining or

East
 Lockinge
 Rectory
 annexed to
 Warden-
 ship of

¹ The title of this Act is taken from the table on the roll as printed by the King's Printers. The Act itself is not on the roll and is here printed from the original Act (No. 45) preserved at the House of Lords.

A. D.
1763-4.
All Souls
College,

and may be
held with
one other
Benefice.

therewith used and enjoyed shall be United and for ever Annexed unto the said Office of Warden of the College of the Souls of all faithful People deceased of Oxford and shall be held and enjoyed by the said Stephen Niblett and his Successors Wardens of the said College during such Time as they shall respectively remain Wardens thereof and no longer in as full and ample Manner to all Intents and Purposes as if they were duly nominated admitted instituted and inducted to the said Rectorry and the said Stephen Niblett and his Successors for the Time being Wardens of the said College during such Time as they shall continue Wardens of the said College shall by virtue of the Office of Warden of the said College for ever hereafter enjoy the said Rectorry without any Presentation Admission Institution or Induction or any other Act or Title whatsoever and shall be and are hereby declared to be from and immediately after his and their Admission to and during his and their Continuance in the said Office full and perfect Incumbents of the Rectorry aforesaid to all Intents and Purposes whatsoever which Incumbency nevertheless shall not make void any other Benefice which the said Stephen Niblett is at present legally possessed of or which any future Warden of the said College shall be legally possessed of at the Time of his being appointed Warden of the said College nor shall the same become Vacant by the Acceptance of any other Benefice by the Warden of the said College for the Time being it being the Intention of this Act that the aforesaid Rectorry shall consist and be held and enjoyed by every such Warden together with any one other Ecclesiastical Benefice without any Licence or Dispensation for that End to be granted or obtained.

II. AND be it further ENACTED and DECLARED That as often as it shall happen that the said Office of Warden of the said College shall become Void by Death Resignation or otherwise the said Advowson and Patronage of the Church and Rectorry of East Lockinge aforesaid shall at the same

Time become Void and the Person that shall be legally nominated admitted and constituted Warden of the said College shall by Virtue of such Office have and enjoy the said Rectorry for so long Time as he shall continue in such Office and no longer

A. D.
1763-4.
during
Tenure
thereof, to
be Rectors.

PROVIDED always That every such Warden shall celebrate Divine Service and perform all other Parochial Duties relating to the Cure of Souls within the said Rectorry which any other Rectors of the said Rectorry have heretofore done and performed and were by Law obliged to do and perform by himself or a sufficient Curate duly appointed and Resident within the said Rectorry

III.
Warden to
perform
the Duties
of Rector
by himself
or a suffi-
cient resi-
dent
Curate.

PROVIDED also That neither this Act nor any thing herein contained shall excuse or be construed to excuse any Warden of the said College from the payment of the First-fruits and Tenths due and payable in respect of the said Rectorry or from the Payment of all Dues of what kind soever to the Bishop or other Ordinary who before the making of this Act had lawful Right to claim the same or from Canonical Obedience to the Bishop or Ordinary of the Diocese any thing in this Act to the contrary in any wise notwithstanding

IV.
Saving of
First-fruits
and Tenths,
Bishop's
Dues, and
Canonical
Obedience.

SAVING always to the King's most Excellent Majesty his Heirs and Successors and to all and every other Person and Persons Bodies Politick and Corporate his her and their Heirs Successors Executors and Administrators (other than and except the said Warden and College of the Souls of all faithful People deceased of Oxford and their Successors) all such Right Title Interest Claim and Demand of in or to the said Advowson and Patronage of the Church and Rectorry of East Lockinge aforesaid as they every or any of them had before the passing of this Act or could or ought to have had in case this Act had not been made.¹

V.
General
Saving.

¹ By deed dated the 4th of September, 1873, and made under the powers conferred by 3 & 4 Vict. c. 113, s. 69 (*infra*), the advowson of the Rectorry of East Lockinge was, in consideration of the sum of £5250, conveyed by the Warden and College of All Souls with the consent of the Ecclesiastical Com-

5^o GEO. III. CAP. XVII.

A. D. 1765. An Act to confirm all Leases already made by Archbishops and Bishops, and other Ecclesiastical Persons, of Tythes and other Incorporeal Hereditaments, for One, Two, or Three Life or Lives, or Twenty one Years; and to enable them to grant such Leases, and to bring Actions of Debt for Recovery of Rents reserved and in Arrear on Leases for Life or Lives.¹

Preamble.

WHEREAS it may be doubtful whether, by the Laws now in being, Archbishops or Bishops, Master and Fellows, or any other Head and Members of Colleges or Halls, Deans and Chapters, Precentors, Prebendaries, Masters and Guardians of Hospitals, or any other Person or Persons having any Spiritual or Ecclesiastical Promotions, heretofore had, or now have, any Power to make or grant any Lease or Leases of Tythes, or other Incorporeal Hereditaments only, which lie in Grant and not in Livery, for One, Two, or Three Lives, or for any Term or Terms of Years not exceeding Twenty one Years, although the ancient Rent or yearly Sum is thereby mentioned to be reserved, and all other Requisites prescribed by the Acts of Parliament now in being to that End, or any of them, were or are justly and truly observed and performed, by reason that there is generally no Place wherein a Distress can be had or taken for such Rent or yearly Sum; and it may be also doubtful whether, in Cases of such Leases for Life or Lives, there is any Remedy in Law for such Ecclesiastical or other Persons by Action of Debt or otherwise, for recovering the Rent or yearly Sum due and Arrear² which is mentioned to be

missioners to Lord Overstone. Dr. Leighton, then Warden, died on the 13th of October, 1881, and the benefice ceased from thenceforth to be held with the Wardenship.

¹ As to College leases see note to 13 Eliz. c. 10 (*supra*).

² *Sic.*

reserved on such Leases for Life or Lives: Therefore, for A. D. 1765. obviating all Doubts touching the same, and enabling the said Archbishops and Bishops, Masters and Fellows, or other Heads and Members of Colleges or Halls, Deans and Chapters, Precentors, Prebendaries, Masters and Guardians of Hospitals, and other Ecclesiastical Persons, to make valid Leases of such their Incorporeal Hereditaments, and to recover the Rents or yearly Sum mentioned to be reserved on any Leases by them already granted, or to be granted, for One, Two, or Three Lives, as aforesaid; and also to make good and effectual all such Leases as have already been granted by them, or any of them: May it please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That all Leases for One, Two, or Three Life or Lives, or any Term not exceeding Twenty one Years, already made and granted, or which shall at any Time from and after the passing this Act be made or granted, of any Tythes, Tolls, or other Incorporeal Hereditaments, solely, and without any Lands or Corporeal Hereditaments, by any Archbishop or Bishop, Master and Fellows, or other Head and Members of Colleges or Halls, Deans and Chapters, Precentors, Prebendaries, Masters and Guardians of Hospitals, and every other Person and Persons who are enabled by the several Statutes now in being, or any of them, to make any Lease or Leases for One, Two, or Three Life or Lives, or any Term or Number of Years not exceeding Twenty one Years, of any Lands, Tenements, or other Corporeal Hereditaments, shall be, and are hereby deemed and delared to be; as good and effectual in Law against such Archbishop, Bishop, Masters and Fellows, or other Heads and Members of Colleges or Halls, Deans and Chapters, Precentors, Prebendaries, Masters and Guardians of Hospitals, and other Persons so granting the same, and their Successors, and every of them, to all Intents and

Leases
already
made, or
that shall
be made,
by Eccle-
siastical
Persons,
of Tythes
and other
Incor-
poreal
Heredita-
ments, for
Life or
Lives, or
Years,
declared to
be good in
Law,

A. D. 1765. Purposes, as any Lease or Leases already made or to be made by any such Archbishop or Bishop, Master and Fellows, or other Heads and Members of Colleges or Halls, Deans and Chapters, Precentors, Prebendaries, Masters and Guardians of Hospitals, and other Persons having Spiritual Promotion, of any Lands or other Corporeal Hereditamentes now are, by virtue of the Statute of the Thirty second Year of King *Henry* the Eighth, or any other Statute now in being; any Law, Custom, or Usage, to the contrary thereof in any wise notwithstanding.

II. Masters and Fellows of Colleges, &c. disabled from granting Leases for any longer Term than their Statutes allow. Provided always, That nothing herein contained shall extend, or be construed to extend, to enable any Master and Fellows, or other Head and Members of Colleges or Halls, Deans and Chapters, Precentors, Prebendaries, Masters and Guardians of Hospitals, or other Ecclesiastical Persons as aforesaid, to grant Leases for any longer or other Terms than, by the local Statutes of their several Foundations, they are now respectively enabled to do.

III. Actions may be brought for Recovery of Rents reserved and in Arrear on Leases for Life or Lives. And be it further enacted and declared by the Authority aforesaid, That in case the Rent or Rents, or yearly Sum or Sums, reserved or made payable in or by any Lease or Leases already made, or to be made, by any Archbishop or Bishop, Master and Fellows, or other Head and Members of Colleges or Halls, Deans and Chapters, Precentors, Prebendaries, Masters and Guardians of Hospitals, and every other Person and Persons so enabled to make Leases as aforesaid for One, Two, or Three Life or Lives, or Years, in pursuance of the several Acts of Parliament already in being, or by this present Act, or any Part thereof, shall be behind or unpaid by the Space of Twenty eight Days next over or after any of the Days wheron the same, by such Lease or Leases, now are or hereafter shall or may be reserved and made payable; then, and so often, and, from time to time, as it shall so happen, it shall and may be lawful for such Archbishop or Bishop, Master and Fellows, or other Head and Members of Colleges or Halls, Deans and Chapters, Prebendaries,

Precentors, Masters and Guardians of Hospitals, and other A.D. 1765.
Persons so making or granting, or having made or granted,
such Leases as aforesaid, or their Executors, Admini-
strators, and Successors respectively, to bring an Action
or Actions of Debt against the Lessee or Lessees, to
whom any such Lease or Leases for Life or Lives, or
Years, now are or hereafter shall be made and granted,
his, her, or their Heirs, Executors, Administrators, or
Assigns, for recovering the Rent or Rents which shall be
then due and in Arrear to any such Archbishop or
Bishops, Masters and Fellows, or other Heads and
Members of Colleges or Halls, Deans, Chapters, Pre-
centors, Prebendaries, Master and Guardians of Hospitals,
and other Person or Persons before mentioned, his or
their Executors, Administrators, or Successors, in such
and the same Manner, and as fully and effectually to all
Intents and Purposes, as any Landlord or Lessor, or other
Person or Persons, could or might do for recovering of
Arrears of Rent due on any Lease or Leases for Life or
Lives, or Years, by the Laws now in being; any Law,
Statute, Usage, or Custom, to the contrary notwith-
standing.

And it is hereby further enacted and declared by the Publick
Authority aforesaid, That this Act shall be deemed and Act.
taken to be a Publick Act; and shall be judicially taken
Notice of as such, in all Courts of Law and Equity,
without specially pleading the same.

5 GEO. III. CAP. XX.

An Act for explaining and rendering more effectual
Two Acts, One made in the Twelfth Year of the
Reign of Queen *Anne*, intituled, *An Act for*
providing a public Reward for such Person or
Persons as shall discover the Longitude at Sea;
and the other in the Twenty sixth Year of the
Reign of King *George* the Second, intituled, *An*

A. D. 1765. *Act to render more effectual an Act made in the Twelfth Year of the Reign of Her late Majesty Queen Anne, intituled, An Act for providing a publick Reward for such Person or Persons as shall discover the Longitude at Sea, with regard to the making Experiments of Proposals made for discovering the Longitude; and to enlarge the Number of Commissioners for putting in Execution the said Act.*¹

IX. And whereas, since the passing of the said Act of the Twelfth of Queen *Anne*, another Professorship for the Purpose of Astronomy has been established in the University of *Cambridge*; be it therefore enacted, That the *Lowndes's* Professor of Astronomy in the University of *Cambridge* for the time being shall be, and he is hereby added to, and joined with, the Commissioners appointed by the said Act of the Twelfth of Queen *Anne*, and by another Act passed in the Twenty sixth Year of King *George* the Second; and the said Professor of Astronomy is hereby appointed a Commissioner, and shall and may act, to all Intents and Purposes, for putting in Execution the said Acts and this present Act, as fully and effectually as if he had been appointed a Commissioner by the said Acts of the Twelfth of Queen *Anne*, and of the Twenty sixth of King *George* the Second, or either of them.

Lowndes's
Professor
of Astro-
nomy in
Cambridge
made a
joint
Commis-
sioner for
the Longi-
tude.

5^o GEO. III. *Cap. 11.*

An Act for annexing the Rectory of *Colerne*, in the County of *Wilts*, to the Office of Warden of the College of *Saint Mary* of *Winchester* in *Oxford*.²

¹ The Acts to which the title of this Act and s. 9 refer are 13 Ann. c. 14 [12 Ann. St. 2. c. 15., Ruff.] (*supra*) and 26 Geo. 2. c. 25. This Act was repealed by 58 Geo. 3. c. 20. s. 4 (*infra*); the 'Lowndian' Professor 'now and for the Time being' was appointed a Commissioner under that Act.

² The title of this Act is taken from the table on the roll as printed by the King's Printers. The Act itself is not on the roll and is here printed from the original Act (No. 34) preserved at the House of Lords.

WHEREAS John Coxed Doctor of Laws Warden and A. D. 1765.
the Scholars of Saint Mary College of Winchester in
Oxford being seised in Fee-simple of the Advowson and
Patronage of and to the Rectory of Colerne in the County
of Wilts and Diocese of Sarum did on or about the Eight-
teenth Day of December in the Year of Our Lord One thou-
sand Seven hundred and Thirty nine nominate and present
William Bowler Clerk Master of Arts to the said Rectory
of Colerne who was duly Instituted and Inducted thereunto
and still continues Rector thereof AND WHEREAS Thomas
Hayward Doctor of Laws the present Warden and the
Scholars of the said College being seised in Fee-simple of
the said Advowson and Patronage as aforesaid are willing
and desirous that the said Rectory of Colerne may upon
and immediately after the next Avoidance of the said
Rectory by Death Resignation or otherwise be for ever
thereafter inseparably annexed and united to the Office of
Warden of the said College for the better Support and
Maintenance of the said Warden But as the same cannot
be done without the Aid of Parliament May it therefore
please Your Majesty at the humble Petition of the said
Thomas Hayward Doctor of Laws and the Scholars of
Saint Mary College of Winchester in Oxford That it may
be Enacted AND be it ENACTED by the King's Most
Excellent Majesty by and with the Advice and Consent
of the Lords Spiritual and Temporal and Commons in
this present Parliament Assembled and by the Authority
of the same That upon and immediately after the next
Avoidance of the said Rectory of Colerne by Death
Resignation or otherwise the said Rectory and all Mem-
bers Tythes Lands Tenements Hereditaments Profits and
Emoluments whatsoever to the same belonging or in any-
wise appertaining or therewith used and enjoyed shall be
united and for ever annexed unto the said Office of Warden
of Saint Mary College of Winchester in Oxford and shall
be held and enjoyed by the then Warden of the said Col-
lege and his Successors Wardens of the said College
during such time as they shall respectively remain War-

Colerne
Rectory
from next
Vacancy
thereof
annexed to
Warden-
ship of
New Col-
lege.

A. D. 1765. dens thereof and no longer in as full and ample Manner to all Intents and Purposes as if they were duly nominated admitted instituted and inducted to the said Rectory and the then Warden of the said College and his Successors for the time being Wardens of the said College during such time as they shall continue Wardens of the said College shall by Virtue of the Office of Warden of the said College for ever thereafter enjoy the said Rectory without any Presentation Admission Institution or Induction or any other Act or Title whatsoever and shall be and are hereby Declared to be from and immediately after his and their Admission to and during his and their Continuance in the said Office full and perfect Incumbents of the Rectory aforesaid to all Intents and Purposes whatsoever

II. Successive Wardens, on Admission to Wardenship and during Tenure thereof, to be Rectors. AND be it further ENACTED and DECLARED That as often as it shall happen that the said Office of Warden of the said College shall become Void by Death Resignation or otherwise the said Advowson and Patronage of the Church and Rectory of Colerne aforesaid shall at the same time become Void and the Person that shall be legally nominated admitted and constituted Warden of the said College shall by virtue of such Office have and enjoy the said Rectory for so long time as he shall continue in such Office and no longer

III. Saving of First-fruits and Tenths, Bishop's Dues, and Canonical Obedience. PROVIDED always That neither this Act nor any thing herein contained shall Excuse or be construed to Excuse any Warden of the said College from the payment of the first Fruits and Tenths due and payable in respect of the said Rectory or from the Payment of all Dues of what kind soever to the Bishop or other Ordinary who before the making of this Act had lawful Right to claim the same or from Canonical Obedience to the Bishop or Ordinary of the Diocese any thing in this Act to the contrary in any wise notwithstanding

IV. General Saving. SAVING always to the King's Most Excellent Majesty his Heirs and Successors and to all and every other Person and Persons Bodies Politick and Corporate his her and their Heirs Successors Executors and Administrators

(other than and except the said Warden and Scholars of A. D. 1765. Saint Mary College of Winchester in Oxford and their Successors) all such Right Title Interest Claim and Demand of in or to the said Advowson and Patronage of the Church and Rectory of Colerne aforesaid as they every or any of them had before the passing of this Act or could or ought to have had in Case this Act had not been made.¹

¹ The benefice annexed by this Act to the Wardenship of New College was a sinecure rectory, provision being made for the cure of souls by a vicar. There is consequently no clause (corresponding with s. 3 of 4 Geo. 3. c. 26 (*supra*)) and s. 4 of 7 Geo. 3. c. 27 (*infra*)) requiring the Warden to celebrate Divine service and perform other parochial duties by himself or a resident curate; nor is it provided (as in s. 1. of each of those Acts) that the rectory may be held with one other benefice, since the legal restrictions on holding livings in plurality did not apply to benefices without cure of souls.

By deed poll dated the 10th of October, 1877, made under 23 & 24 Vict. c. 59 (*infra*), the Warden and Scholars of New College, with the consent of Dr. Sewell then Warden, annexed to the vicarage certain tithe rent charges of the commuted value of £71 18s. 8d. belonging to the rectory. In consideration of this benefaction the Ecclesiastical Commissioners by an instrument dated the 8th and gazetted on the 16th of November, 1877, granted £1500 to purchase further, tithe rent charge for the vicar; and accordingly by indenture dated the 23rd of January, 1878, to which were parties the Warden and Scholars, Dr. Sewell, Warden, John Joseph Strutt Bird, Vicar, and the Ecclesiastical Commissioners, the Warden and Scholars acting under the authority of the Ecclesiastical Commissioners, with the consent of Dr. Sewell, conveyed under 3 & 4 Vict. c. 113 (*infra*) and 23 & 24 Vict. c. 59. ss. 7, 10 (*infra*) to the Ecclesiastical Commissioners certain tithe rent charges of the commuted value of £72 3s. 3d. belonging to the rectory; and the Commissioners thereby declared that such rent charges should form part of the endowment of the vicarage.

The College Statutes approved in 1882 contained the following clause. Statute XXII.

7. Subject to the rights of the existing Warden, so long as the Rectory of Colerne shall continue to be annexed to the Wardenship, the stipend of the Warden shall be reduced to such a sum as, together with the emoluments arising from the Rectory and proceeds of the sale of the Rectorial Estate of Colerne, shall amount to the yearly sum of 2000/.

But by reason of what follows the clause never came into operation.

By an indenture dated the 1st of January, 1895, to which were parties the Warden and Scholars, the Ecclesiastical Commissioners, the Bishop of Gloucester and Bristol, and Dr. Sewell, Warden and Rector, the Warden and Scholars, with the approval of the Ecclesiastical Commissioners, charged under 43 & 44 Vict. c. 46. s. 5 (*infra*) (1) £4427 2s. 2d. Consols, representing proceeds of sale of certain glebe lands and tithe rent charges belonging to the rectory, and (2) tithe rent charge or tithe rent charges of the commuted value of £209 8s. 1d., with an annual sum equal to the dividends on the above stock or any substituted investments, being less than one half of the endowments of

6^o GEO. III. CAP. LIII.A. D.
1765-6.

An Act for altering the Oath of Abjuration and the Assurance; and for amending so much of an Act of the Seventh Year of Her late Majesty Queen *Anne*, intituled, *An Act for the Improvement of the Union of the Two Kingdoms*, as, after the Time therein limited, requires the Delivery of certain Lists and Copies therein mentioned to Persons indicted of High Treason, or Misprision of Treason.¹

[The preamble recites that by 1 Geo. I. Sess. 2. c. 13 (*supra*) it was enacted that 'all and every Person and Persons therein mentioned, within *Great Britain*, and the several Islands of *Fersey* and *Guernsey*, should take and subscribe the Oath of Abjuration therein mentioned; and all and every Person and Persons therein mentioned within *Scotland*, should also subscribe the Assurance therein mentioned'; that by 5 Geo. I. c. 29. a different oath of abjuration had been prescribed for Scotland; and that by the death of the elder Pretender it had become necessary to make some alteration in the Oath of Abjuration and Assurance prescribed by the recited Acts.

the rectory, from and after the next avoidance of the rectory to be paid in perpetuity to the Warden for the time being, to the intent that the advowson of the rectory should vest in the College freed from any trust in favour of the Warden. And by another indenture dated the 2nd of January, 1895, to which were parties the Warden and Scholars, the Ecclesiastical Commissioners, and Dr. Sewell, Warden and Rector, the Warden and Scholars, acting under the authority of the Ecclesiastical Commissioners, with the consent (if and so far as required) of Dr. Sewell, declared under 3 & 4 Vict. c. 113 (*infra*) and 23 & 24 Vict. c. 59 (*infra*) that from and after the next avoidance of the rectory the tithe rent charge or tithe rent charges referred to in the preceding indenture should be united to the vicarage, to the intent that the vicarage should be constituted a rectory with cure of souls, the patronage of which should remain vested in the Warden and Scholars.

Dr. Sewell died on the 29th of January, 1903, and the rectory ceased from thenceforth to be held with the Wardenship.

¹ As to the Oath of Abjuration see notes to 13 & 14 [13., Ruff.] Will. 3. c. 6 (*supra*), and 1 Geo. I. Sess. 2. c. 13 (*supra*).

Section 1 enacts that from and after the 4th of June 1766 the Oath of Abjuration shall be administered in the Manner and Form thereafter prescribed. The form differs from that in 1 Geo. I. Sess. 2. c. 13 in substituting for the words 'that the Person pretended to be Prince of *Wales* . . . Obedience to him' the words 'That not any of the Descendants of the Person who pretended to be Prince of *Wales* during the Life of the late King *James* the Second, and, since his Decease, pretended to be, and took upon himself the Stile and Title of, King of *England*, by the name of *James* the Third, or of *Scotland*, by the name of *James* the Eighth, or the Stile and Title of King of *Great Britain*, hath any Right or Title whatsoever to the Crown of this Realm, or any other the Dominions thereunto belonging: And I do renounce, refuse, and abjure, any Allegiance or Obedience to any of them'; and for the words 'against him the said *James*, and all other Persons whatsoever' the words 'against the Descendants of the said *James*, and against all other Persons whatsoever.' The words 'So help me God' are omitted at the end of the form. The section, after prescribing the form of assurance, directs that 'all and every Person and Persons who are enjoined and required to administer, take, or subscribe, the Oath of Abjuration, and the Assurance, in the said above mentioned Acts contained, shall respectively administer, take, and subscribe, the Oath of Abjuration, and subscribe the Assurance, according to the Form herein set down and prescribed, in such Courts, within such Time limited, in such Manner, and with due Observance of the same Requisites, and with Benefit of the same Savings, Provisoos, and Indemnities, as by the said Acts above mentioned, or by any other Acts, or any Part of them, now subsisting, are directed and enacted; and in case of Neglect or Refusal, he or they shall be subject and liable to the same Penalties and Disabilities as, by the Laws and Statutes aforesaid, are enacted.']

A. D.
1765-6.
From and
after
4 June,
1766, the
Oath of
Abjuration
required to
be taken
by the re-
cited Acts,
to be ad-
ministered
in the
following
Form.

The said
Oath, and
Assurance,
to be ad-
ministered,
taken, and
subscribed,
within the
Time, and
in the Man-
ner, &c. as
by the re-
cited Acts
are
directed.

7^o GEO. III. CAP. LXVI.A.D.
1766-7.

An Act for repairing and widening the Road from the West End of *Thames Street*, in the City of *Oxford*, over *Botley Causeway*, to the Turnpike Road near *Fifield*, in the County of *Berks*.

[Section 1 appoints a number of persons by name and 'the Vice Chancellor, Heads of Colleges and Halls, Proctors, and Professors, in the University of *Oxford* for the time being; the Mayor, Recorder, Aldermen, Bailiffs, Assistants, and Town Clerk, of the City of *Oxford* for the time being; and the Canons of *Christ Church, Oxford*, for the time being' trustees for executing the Act.

Section 2 imposes a property qualification upon trustees.]

XIX.

And whereas the widening of *Botley Causeway* aforesaid to a competent Breadth, will be attended with a great Expence, and the Nobility, Gentry, and others, of the Counties of *Oxford* and *Berks*, and the University and City of *Oxford*, have raised a considerable Subscription among themselves, by way of free Gift for that Purpose, amounting to Six hundred Pounds and upwards, provided an Act of Parliament should be obtained for widening the said Causeway to the Breadth of Thirty Feet; be it therefore enacted, That all the Monies so subscribed, shall be payable and paid to the Treasurer of the said Trustees for the time being, whose Receipt shall be a full Discharge for the same; and that the said Trustees shall and may, and they are hereby authorized and required (out of the said Monies, and out of the Tolls to be collected at the said Turnpike-gates, or the Monies to be borrowed on the Credit thereof) to widen the said Causeway to the Breadth of Thirty Feet, and to raise, fence, and repair the same, so as to prevent Inconvenience or Danger in the Time of Floods or otherwise; and also to rebuild the several Bridges which connect the different Parts of the said Causeway to each other in the same Number as at present,

Subscription for widening *Botley Causeway* to be paid to the Treasurer.

Causeway to be 30 Feet wide, and Bridges to be 20.

or in a greater or less Number, as they, or any Nine or more of them, shall judge to be most convenient, making the said Bridges at least Twenty Feet wide in the Clear for the Passage of Cattle and Carriages.

A. D.
1766-7.

And whereas by an Act made in the Eighteenth Year of the Reign of Queen *Elizabeth*, intituled, *An Act for the repairing and amending of the Bridges and Highways near unto the City of Oxford*; ¹ and by another Act made in the Thirty fifth Year of the Reign of the same Queen, intituled, *An Act for the Reviving, Continuance, Explanation, and Perfecting of divers Statutes* ² (which said Acts are continued indefinitely by Two other Acts, One made in the Third and the other made in the Sixteenth, by Two other Acts, One made in the Third, and the other in the Sixteenth ³ Year of the Reign of King *Charles* the First ⁴) it is provided and enacted, That every Person having One Yardland or more in his Possession, lying within Five Miles of the University and City of *Oxford*, or the Franchises of the same, shall, for every Yardland, perform such personal Duty as in the said Acts is mentioned, or in lieu thereof shall make certain annual Payments, specified in the said Acts, unto the Vice Chancellor and Mayor of the same University and City for the time being, or their Deputy or Deputies, towards the amending of the Bridges and Highways lying and being within One Mile of the said City of *Oxford*, with Remedy by Distress for such Sums as shall be due and not paid as aforesaid: And whereas the said Causeway, called *Botley Causeway*, is One of the said Mile-ways, and the several Sums of Money following have usually been received and collected annually, by virtue of the said Acts of Parliament, for repairing the said Causeway, of and from the several Parishes and Townships in the County of *Berks* following; that is to say, Of *Swynford* Fifteen Shillings, *North Hinksey* One Pound Four Shillings, *Wytham* One Pound Ten Shillings, *Chawley* Fourteen Shillings, *Eaton* Fifteen Shillings, *Cumner Hen-*

XX.

¹ 18 Eliz. c. 20 (*supra*).

² 35 Eliz. c. 7 (*supra*).

³ *Sic*.

⁴ 3 Car. 1. c. 5 [c. 4., Ruff.], and 16 Car. 1. c. 4.

A. D:
1766-7.

Mile-way
Act, and
Payments,
to be col-
lected by
the Clerk
of the
Trustees.

wood and *Bradley* One Pound Sixteen Shillings, *Hill End* Twelve Shillings, *Stroud* Fourteen Shillings, *Whitley* Ten Shillings, and *Botley* Nine Shillings; and of and from the several Parishes and Townships in the County of *Oxford* following; that is to say, Of *Binsey* Six Shillings, *Northmore* Ten Shillings, *Stanton Harcourt* Ten Shillings, and *Eynsham* One Pound Ten Shillings: And whereas it will be most convenient for the Publick, and also for the said University and City, that the Expenditure of the said Sums should be under the Direction and Management of the Trustees for putting this Act in Execution; be it therefore enacted, That from and after the Fifth Day of *July* One thousand seven hundred and sixty seven, the Clerk of the said Trustees for the time being shall be, during the Continuance of this Act, and he is hereby constituted and appointed, the Deputy of the said Vice Chancellor and Mayor, for collecting the said annual Sums; and the said Clerk for the time being shall and may demand and receive the said respective Sums of the Surveyor or Surveyors of the Highways for the time being of each respective Parish and Township; and in Default of Payment thereof, shall and may levy the same by Distress and Sale of the Goods of such Surveyor or Surveyors, returning the Overplus (if any be) upon Demand, after deducting thereout the Charges of such Distress and Sale: And it shall and may be lawful to and for the said Surveyor or Surveyors who shall have paid such Sums, or on whom such Distress shall have been made, to reimburse themselves such Sums so paid or distrained for, by collecting the same of the Persons whose Estates have been usually charged therewith, or by such other Means as, according to the Laws now in being, Surveyors of the Highways are to be reimbursed the Monies by them expended in buying Materials for amending the Highways; and the said Clerk of the said Trustees shall pay the Sums so received by him to the Treasurer of the said Road for the time being, to be applied to the Repairs of the said Road, and the other Purposes of this Act.

And be it further enacted, That the said Trustees, or any Nine or more of them, shall have full Power and Authority to widen, turn, and alter, not only the said Causeway, but also any Part of the said Road, as to them shall seem fitting and convenient, for the better Accommodation of Travellers ; and also (by and with the Consent and Approbation of the Vice Chancellor and Heads of Houses of the said University for that Purpose assembled, upon due Notice given, or the major Part of them then present ; and also by and with the Consent and Approbation of the Mayor, Recorder, Aldermen, Assistants, and Town Clerk of the City of *Oxford* for that Purpose assembled, upon due Notice given, or the major Part of them then present) to take down, throw open, and remove any Houses, Buildings, Courts, Yards, Orchards, or Gardens, in or near any Part of the said Road, from the West End of *Thames Street* aforesaid, to the West End of the Town of *Botley*, or in or near any Avenue leading to the same, within the City of *Oxford* aforesaid, or the Suburbs of the same ; making full Satisfaction to all Persons interested in the same, in Manner herein after mentioned.

A.D.
1766-7.

XXIX.
Trustees
may widen
the narrow
Parts of the
Roads, &c.

[Section 53 enacts that the Act shall commence of the 22nd of April, 1767, and continue in force for the term of twenty-one years and from thence to the end of the then next Session of Parliament.¹

Section 54 declares the Act to be a public Act.]

¹ The term of this Act was extended by 18 Geo. 3. c. 81. s. 2 for twenty-one years from its expiration and from thence to the end of the then next Session of Parliament, and by 54 Geo. 3. c. 186. s. 36 both preceding Acts were continued for a like term from the date of the passing of that Act, namely the 1st of August, 1814. By 5 & 6 Will. 4. c. ciii. s. 1 the three Acts were repealed from the 4th of November, 1835, and by s. 3 a fresh body of trustees was appointed which did not include the Vice-Chancellor as such or any other *ex officio* representative of the University.

7° GEO. III. CAP. XCIX.

A. D.
1766-7.

An Act for establishing and well-governing a General Hospital, to be called *Addenbrooke's Hospital*, in the Town of *Cambridge*.

[The Preamble of this Act recites, that John Addenbrooke, Doctor of Physic, deceased, by his will dated the 1st of May, 1719, after making several devises and bequests, directed that the residue of his property should at the death of his wife be vested in certain Trustees for the purpose of establishing 'a small Physical Hospital in the Town of *Cambridge*, for Poor People'; that, after sundry proceedings and orders in Chancery, lands have been purchased and a Hospital has been built and furnished, but the capital of the Charity is insufficient for carrying on the design; that 'several Noblemen, Gentlemen, Clergy, and others, have entered into a voluntary Subscription for making the said Hospital a General Hospital'; and that the Trustees assent to this extension of the Testator's plan.

[Section 1 enacts that from and after the 24th of June, 1767, 'there be and shall be a Corporation, to continue for ever, for establishing and well governing a General Hospital in the Town of *Cambridge*, to be called *Addenbrooke's Hospital*'; that the Lord Lieutenant of the County of Cambridge, the Chancellor of the University, the Lord Bishop of Ely, the High Steward of the Corporation, the High Sheriff of the County, the Representatives in Parliament for the County, University, and Town, the Vice-Chancellor of the University, and the Mayor of the Town of Cambridge, each for the time being, together with donors of £21 or upwards, and annual subscribers of two guineas or more, shall be Governors of the Hospital, and shall be a Body Corporate by the name of *The President and Governors of Addenbrooke's Hospital in the Town of Cambridge*, with perpetual succession, a common seal, and the right to sue and be sued; 'and that they,

by the Name aforesaid, shall and may, at any Time hereafter, without Licence in Mortmain, purchase, take, or receive, any Lands, Tenements, or Hereditaments, or any Estate or Interest arising or derived out of any Lands, Tenements, or Hereditaments, for the Purposes aforesaid.' ¹

A. D.
1766-7.

Section 13 declares the Act to be a public Act.]

7^o GEO. III. *Cap. 27.*

AN ACT for Annexing the Rectory of *Purleigh*, in the County of *Essex*, to the Office of Provost of the House of the *Blessed Mary the Virgin* in *Oxford*, commonly called *Oriel College*, of the Foundation of *Edward* the Second of famous Memory, some Time King of *England*.²

WHEREAS Daniel Horsmanden late of the Inner Temple London Esquire deceased being seised in Fee-simple of the Advowson and Patronage of and to the Rectory of *Purleigh* in the County of *Essex* and Diocese of London did sometime in or about the Month of October One thousand Seven hundred and Twenty six nominate and present Samuel Horsmanden Clerk to the said Rectory of *Purleigh* who was duly instituted and inducted thereunto and still continues Rector thereof AND WHEREAS George Carter Doctor in Divinity late Provost of the House of the blessed Mary the Virgin in *Oxford* commonly called *Oriel College* of the Foundation of *Edward* the Second of famous Memory sometime King of *England* deceased did by his last Will and

Preamble.

¹ Under a scheme of the Charity Commissioners confirmed by 3 Edw. 7. c. clv. the hospital is now administered by a general committee, subject as to certain proceedings to confirmation by a general Court of the Governors. The general committee consists of twenty-four elected governors, eight from residents or ratepayers in the borough, eight from residents or ratepayers outside the borough, and eight from the electoral roll of the University. All are to be elected by the governors in general court.

² The title of this Act is taken from the table on the roll as printed by the King's Printers. The Act itself is not on the roll, and is here printed from the original Act (No. 60) preserved at the House of Lords.

A. D.
1766-7.

Testament bearing Date the Thirtieth Day of December One thousand Seven hundred and Twenty six amongst other Things give Directions that the Sum of One thousand Pounds should out of the Residue of his Personal Estate be laid out in the Purchase of a Living to be annexed to the Headship of the said College for ever and soon after making his said Will departed this Life in or about the Month of September One thousand Seven hundred and Twenty seven without revoking or altering the said Will which has been duly proved by the Executors therein named who undertook the Execution thereof AND WHEREAS the said Advowson and Right of Patronage of and to the said Rectory of Purleigh did by several good Conveyances and Assurances in the Law become vested in Hugh Watson and Francis Wells both of the Middle Temple London Gentlemen upon certain Trusts therein mentioned and since executed AND WHEREAS the Provost and Scholars of Oriel College aforesaid having contracted and agreed with the said Hugh Watson and Francis Wells for the absolute Purchase of the said Advowson for the Benefit of the Provost of the said College for the Time being according to the Direction of the Will of the said George Carter and the Executors of such Will having agreed to pay the Purchase Money for such Advowson the said Hugh Watson and Francis Wells by Indenture of Bargain and Sale inrolled in the High Court of Chancery bearing Date the Thirteenth of February One thousand Seven hundred and Thirty did for the several Considerations therein particularly specified and by and with the Consent and Direction of the several Parties therein named and at the Nomination of the said Provost and Scholars severally testified as therein is mentioned well and sufficiently grant bargain and sell the said Advowson of the Rectory aforesaid to the Chancellor Masters and Scholars of the University of Oxford for ever in Trust nevertheless for the said Provost and Scholars of Oriel College aforesaid to the Intent that as often as the said Rectory of the Church of Purleigh

A. D.
1766-7.

should become Vacant the said Chancellor Masters and Scholars should present the Provost of Oriel College aforesaid for the Time being to the said Rectory to the Intent that the said Rectory might be annexed to and enjoyed by the Provost of Oriel College aforesaid for the Time being according to the true Intent and Meaning of the Will of the said George Carter AND WHEREAS the said Chancellor Masters and Scholars are desirous of being freed and discharged from their said Trust to the Intent that the said Advowson of Purleigh may be vested in the Provost and Scholars of Oriel College aforesaid and their Successors for the Purpose of annexing the same to the said Office of Provost of Oriel College aforesaid AND WHEREAS Chardin Musgrave Doctor in Divinity the present Provost and the Scholars of Oriel College aforesaid are willing and desirous that the said Rectory of Purleigh may upon and immediately after the next Avoidance of the said Rectory by Death Resignation or otherwise be for ever thereafter inseparably annexed and united to the Office of Provost of the said College for the better Support and Maintenance of the said Provost BUT as the same cannot be done without the Aid of Parliament May it therefore please Your Majesty at the humble Petition of the said Chancellor Masters and Scholars of the University of Oxford and of the said Chardin Musgrave Doctor in Divinity Provost of the said House of the Blessed Mary the Virgin in Oxford commonly called Oriel College and of the Scholars of the said House That it may be Enacted AND be it ENACTED by the King's Most Excellent Majesty by and with the Advice and Consent of the Lords Spiritual and Temporal and Commons in this present Parliament Assembled and by the Authority of the same That upon and immediately after the next Avoidance of the said Rectory of Purleigh by Death Resignation or otherwise the said Rectory and all Members Tythes Lands Tenements Hereditaments Profits and Emoluments whatsoever to the same belonging or in any wise appertaining or therewith used and enjoyed

Rectory of
Purleigh
from next
Vacancy
thereof
annexed to
Provost-
ship of
Oriel
College,

A. D.
1766-7.

shall be united and for ever annexed unto the said Office of Provost of the said House of the Blessed Mary the Virgin in Oxford commonly called Oriel College of the Foundation of Edward the Second of famous Memory sometime King of England and shall be held and enjoyed by the then Provost of the said College and his Successors Provosts of the said College during such Time as they shall respectively remain Provosts thereof and no longer in as full and ample Manner to all Intents and Purposes as if they were duly nominated admitted instituted and inducted to the said Rectory and the then Provost of the said College and his Successors for the Time being Provosts of the said College during such Time as they shall continue Provosts of the said College shall by Virtue of the Office of Provost of the said College for ever thereafter enjoy the said Rectory without any Presentation Admission Institution or Induction or any other Act or Title whatsoever and shall be and are hereby declared to be from and immediately after his and their Admission to and during his and their continuance in the said Office full and perfect Incumbents of the Rectory aforesaid to all Intents and Purposes whatsoever which Incumbency nevertheless shall not make Void any other Benefice which any Provost of the said College shall be legally possessed of at the Time of his being appointed Provost of the said College nor shall the same become vacant by the Acceptance of any other Benefice by the Provost of the said College for the Time being it being the Intention of this Act that the aforesaid Rectory shall consist and be held and enjoyed by every such Provost together with any one other Ecclesiastical Benefice without any Licence or Dispensation for that End to be granted or obtained

and may
be held
with one
other
Benefice.

II.
Right of
Patronage
vested in
the College.

AND be it further ENACTED by the Authority aforesaid That from and immediately after the Passing of this Act the Advowson and Right of Patronage of and in the Rectory and Parish Church of Purleigh aforesaid in the County of Essex and Diocese of London shall be vested in and the same is hereby accordingly vested in the Provost

of the House of the Blessed Mary the Virgin in Oxford commonly called Oriel College and the Scholars of the same House and their Successors for ever freed and discharged and absolutely acquitted exempted and exonerated of from and against all the Uses Trusts and Powers in and by the said Indenture of Bargain and Sale of the Thirteenth Day of February One thousand Seven hundred and Thirty limited appointed provided and declared of upon and concerning the same but nevertheless upon the Trust Intent and Purpose that the said Rectory of Purleigh shall be united and for ever annexed unto the said Office of Provost of the said College

A. D.
1766-7.

AND be it further ENACTED and DECLARED That as often as it shall happen that the said Office of Provost of the said College shall become Void by Death Resignation or otherwise the said Rectory of Purleigh aforesaid shall at the same Time become Void and the Person that shall be legally nominated admitted and constituted Provost of the said College shall by Virtue of such Office have and enjoy the said Rectory for so long Time as he shall continue in such Office and no longer

III.
Successive
Provosts,
on Admis-
sion to
Provost-
ship and
during
Tenure
thereof to
be Rectors.

PROVIDED always That every such Provost shall celebrate Divine Service and perform all other Parochial Duties relating to the Cure of Souls within the said Rectory which any other Rectors of the said Rectory have heretofore done and performed and were by Law obliged to do and perform by himself or a sufficient Curate duly appointed and Resident within the said Rectory

IV.
Provost to
perform the
Duties of
Rector by
himself or
a sufficient
resident
Curate.

PROVIDED also That neither this Act nor any thing herein contained shall Excuse or be construed to Excuse any Provost of the said College from the Payment of the first Fruits and Tenths due and payable in respect of the said Rectory or from the Payment of any Dues of what Kind soever to the Bishop or other Ordinary who before the making of this Act had lawful Right to claim the same or from Canonical Obedience to the Bishop or Ordinary of the Diocese any thing in this Act to the contrary in any wise notwithstanding.

V.
Saving of
First-fruits
and Tenths,
Bishop's
Dues, and
Canonical
Obedience.

A. D.
1766-7.
VI.
General
Saving.

SAVING always to the King's Most Excellent Majesty his Heirs and Successors and to all and every other Person and Persons Bodies Politick and Corporate his her and their Heirs Successors Executors and Administrators (other than and except the said Chancellor Masters and Scholars of the University of Oxford and the said Provost of the said House of the Blessed Mary the Virgin in Oxford commonly called Oriel College and the Scholars of the same House and their Successors) all such Right Title Interest Claim and Demand of in or to the said Advowson and Patronage of the Church and Rectory of Purleigh aforesaid as they every or any of them had before the passing of this Act or could or ought to have had in Case this Act had not been made¹

9^o GEO. III. CAP. LXXII.

A. D.
1768-9.

An Act for the better Establishment of the Foundation of *John Michel* Esquire, in the *Queen's College* in the University of *Oxford*, and for other the Purposes therein mentioned.

[The Act recites the will of John Michel, the Act, 24 Geo. 2. c. 21 (*supra*), and statutes made the 24th of August, 1764, by William Blackstone, D.C.L., Principal of New Inn Hall, Chardin Musgrave, D.D., Provost of Oriel College, and Benjamin Buckler, D.D., Fellow of All Souls College, the Visitors of the Foundation; confirms an agreement for sale of certain lands part of the Endowment; confirms the statutes; incorporates the

¹ By an indenture made the 22nd of July, 1881, under the powers conferred by 43 & 44 Vict. c. 46. s. 5 (*infra*), Dr. Hawkins, then Provost, being one of the parties, certain tithe rent charges belonging to the rectory were conveyed to a trustee on trust to pay thereout £700 a year clear to the Provost for the time being, and the residue (if any) to the Rector; and thereupon under the same section the advowson vested in the college freed and discharged from any trust in favour of the Provost for the time being. Dr. Hawkins died on the 18th of November, 1882, and the Rectory ceased from thenceforth to be held with the Provostship.

Visitors by the name of 'The Visitors of the Foundation of *John Michel* Esquire in the *Queen's College in Oxford*', and makes provision for filling vacancies by cooptation, or in default by nomination by the Lord Chancellor; vests the Michel Buildings in the Visitors; directs the transfer by them of £6000 3 per cent. annuities to the College in trust to make good deficiencies in the Michel Fellowships and Scholarships and to apply £80 yearly in maintenance of four undergraduate scholars or exhibitioners in the College; and makes regulations with regard to the exhibitions and other matters. The Act is declared to be a public Act.¹

A. D.
 1768-9.

10^o GEO. III. Cap. XCVII.

An Act to extend the Provisions in Two Acts, A. D. 1770.
 passed in the Third and Fifth Years of His
 present Majesty, for repairing the Road from
Cambridge to Ely, and from *Ely to Littleport*, and

¹ By s. 2 of 20 & 21 Vict. c. 25 (*infra*) special powers were given to the Oxford University Commissioners to consolidate the Michel Foundation with the Eglesfield or Old Foundation, to vest the Endowments held by the Visitors of the Michel Foundation in the Provost and Scholars, to place the consolidated Foundation under the Visitorship of the Archbishop of York, and to establish regulations in respect thereof. These powers were exercised by the Ordinance of the Commissioners dated the 9th of January, 1858, subject to certain provisions with regard to persons having existing interests. The Ordinance made Statutes for the consolidated foundation and annulled (s. 61) all existing statutes, *inter alia* those of the Michel Foundation. It directed (s. 9) that four of the fellows and four of the scholars should always be called Michel Fellows and Michel Scholars respectively, namely the four junior fellows and the four scholars next in seniority above the three juniors, who were to be called Bridgman Scholars; those however whose existing interests were preserved to be reckoned among the four fellows and four scholars so long as they should remain fellows or scholars respectively.

The Ordinance with all other then existing Statutes and Ordinances of the College was repealed by the Statutes approved in 1882 (Stat. XXII) which however (Stat. II. 23) re-enacted the provision that the four Junior Fellows should always be designated Michel Fellows. These Statutes contained no similar provision for perpetuating the name of Michel Scholar, and consequently no scholar since elected has been styled by that name.

A. D. 1770.

other Roads therein mentioned, to the Road from *Wilburton* to *Mepall*; and for making other Provision for repairing the said Road from *Ely* to *Littleport*; and for making and keeping in Repair a Road from *Littleport* to *Chequer Corner* in *Downham*, in the Counties of *Cambridge* and *Norfolk*.

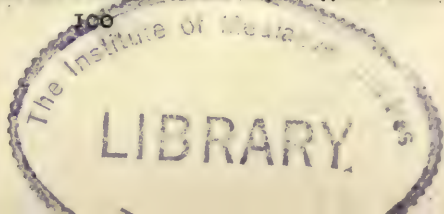
[Section 1 divides 'from and after the *Wednesday* Fort-night next after the Day of the passing of this Act'¹ the roads mentioned and described in 3 Geo. 3. c. 36 (*supra*) and 5 Geo. 3. c. 79 and the other roads mentioned in this Act into two districts; namely, the South District, comprising the roads from Cambridge to the Lamb Corner in Ely and thence to Soham, the road from Ely to Gibbet Hill, and the road from Stretham Common to a house in Wilburton lately occupied by George Farrin and from thence across Grunty Fen to a house in Mepall occupied by Love Owen; and the North District comprising the road from the Lamb Corner in Ely to Littleport, the road from Littleport by Scotting's Ferry and Helgay to the South End of the pavement in Downham and from the North End of the pavement to Chequer Corner in Downham.

Section 2 provides that the Trustees appointed by the recited Acts shall be trustees of the South District.

Sections 3 and 4 extend the powers of the former Acts to the additional roads and discharge the trustees of the South District from duty with regard to the roads from Lamb Corner in Ely to Littleport, and by Littleport Plains to the Bank of the Hundred Feet River.

Section 7 provides that the Trustees appointed by the recited Acts together with 'the Knights of the Shire for the Counties of *Cambridge* and *Norfolk* for the Time being, the Lords of the several Manors through

¹ The Act was passed on Thursday the 12th of April, 1770.



which the Roads lead for the Time being ' and certain A.D. 1770.
named persons shall be trustees of the North District.

Section 8 confers on the Trustees of the North District the powers created by the Act, from the Wednesday fortnight after its passing for the Terms unexpired of the recited Acts.¹

The final section declares the Act to be a public Act.]

10^o GEO. III. *Cap. 51.*²

An Act to enable the Trustees of the Estates devised by *William Hulme* Esquire, to grant Building Leases thereof, and to increase the Number of Exhibitioners in *Brasen Nose College, Oxford*, founded by the said Testator; and for other the Purposes therein mentioned.

[This Act recites that William Hulme by his will dated the 24th of October, 1691, devised estates on trust to divide the income between four Bachelors of Arts of the poorest sort of Brasenose College who intended to reside there for four years after taking that degree, the recipients to be nominated by the Warden of the Collegiate Church of Manchester and the Rectors of Prestwich and Bury in Lancashire and their successors, and the exhibitions to be tenable for four years; that the revenues had been applied in exhibitions to bachelors of the College, and that there were then four exhibitioners receiving £60 each; that the estates were producing £360 a year; that there was an accumulation of £3000 out of surplus income; and that the rents might by the granting of building leases be increased and support a greater number of exhibitioners.

The Act gives powers to grant building leases, and to in-

¹ This Act was amended by 44 Geo. 3. c. 70 (*infra*), and was repealed by 5 Geo. 4. c. 1x (passed the 17th of May, 1824) which established three sets of trustees of the roads, none including any *ex officio* representatives of the University or Colleges.

² This Act is not printed. The original Act, preserved at the House of Lords, is No. 131.

A. D. 1770.

crease and to diminish again to a minimum of four the number of exhibitors from time to time as circumstances require; the exhibitions to be not less than £60 nor more than £80 a year and to be payable only to those who bona fide reside in the College from the beginning of Michaelmas Term to the end of Act Term in each year. The residue of the income is directed to be laid out in building on or improving the trust estate.¹

11^o GEO. III. CAP. XIX.

A. D.
1770-1.

An Act for amending certain of the Mile-ways leading to *Oxford*; for making a commodious Entrance through the Parish of *Saint Clement*; for rebuilding or repairing *Magdalen Bridge*; for making commodious Roads from the said Bridge, through the University and City, and the Avenues leading thereto; for cleansing and lighting the Streets, Lanes, and Places, within the said University and City, and the Suburbs thereof, and the said Parish of *Saint Clement*; for removing Nuisances and Annoyances therefrom, and preventing the like for the future; for empowering Colleges and Corporations to alienate their Estates there; for removing, holding, and regulating Markets within the said City; and for other Purposes.²

¹ For subsequent legislation and Schemes of the Charity Commissioners and Board of Education dealing with the Hulme Foundation, see (*infra*) 35 Geo. 3. c. 62, 54 Geo. 3. c. 205, 7 & 8 Geo. 4. c. 9, 2 & 3 Vict. c. 17, and 7 Edw. 7. c. cx, and note to the last of those Acts.

² This Act was the first of a series of five Local Improvement Acts commonly known as the Mileway Acts, the others being 21 Geo. 3. c. 47 (*infra*), 52 Geo. 3. c. 72 (*infra*), 5 & 6 Will. 4. c. lxix (*infra*), and 11 & 12 Vict. c. xxxvii (*infra*).

In 1864 the Commissioners appointed under these Acts having adopted the Local Government Act, 1858 (21 & 22 Vict. c. 98), a Local Board was constituted in accordance with s. 82 of that Act (*infra*); and in the following year by Art. 4 of the Provisional Order of the 31st of May, 1865, confirmed by 28 & 29 Vict. c. 108 (*infra*), the five Acts were repealed except the provisions thereof

WHEREAS such of the several Roads near the University and City of *Oxford*, usually called the *Mile-ways*, as are not Part of any Turnpike Road, are in a very bad State and Condition; and the Annual Payments directed or mentioned to be paid in lieu of every Yard-land within five Miles of the said University and City of *Oxford*, or the Franchises of the same, by an Act made in the Eighteenth Year of the Reign of Queen *Elizabeth*, intituled, *An Act for the Repairing and Amending of the Bridges and Highways near unto the City of Oxford*,¹ have been found insufficient to keep the said Bridges and Roads in Repair, although considerable Sums of Money have been raised and added thereto by private Contribution: And whereas the Bridge called *Magdalen Bridge*, over the River *Cherwel*, near *Magdalen College* in the University, is in a decayed and very ruinous State; by Reason whereof and of its Narrowness, and the Difficulty of Access thereto through the said Parish of *St. Clement*, it is very incommodious, and dangerous to Travellers: And whereas the Roads from the said Bridge, through the several Streets in the said University and City, to the great Roads lying on the North, South, and West Sides of the said University and City, are in many Parts so very narrow and incommodious, and so greatly obstructed by Nuisances and Annoyances, as well as by various Incroachments and Projections, as to render the said Roads inconvenient and dangerous to Travellers: And whereas the said University and City, and the Suburbs thereof, and the Parish then in force relating to *Magdalen Bridge*, the *Mileways*, and the tolls in respect of the same and mortgages thereof, and those relating to Markets and Gas supply; and by Art. 5 of the same order the excepted provisions, other than those relating to the Markets, were made applicable to the Local Board instead of the Commissioners.

By Art. XXIV of the Oxford Order, 1889, confirmed by 52 Vict. c. xv (*infra*), the unrepealed provisions of the Mileway Acts were repealed, except those relating to markets, which were continued in force with the modifications that the Corporation was substituted for the Local Board, and that the property, rights, powers, duties, and liabilities of the University or the Market Committee thereunder were transferred to the Corporation, the right however of the University to appoint Clerks of the Market being preserved.

¹ 18 Eliz. c. 20. (*supra*).

A. D.
1770-1.
Preamble.

Act of
18 Eliz.
found in-
sufficient.

A. D.
1770-1.

Commis-
sioners
Names.

of *St. Clement*, are not properly cleansed or lighted; and are much annoyed by Projections and encroachments, and subject to many Nuisances: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same; that the following Magistrates and Officers, for the Time being, of the University of *Oxford*, and of the Colleges and Halls therein, *to wit*, The Vice-chancellor, his Assessor, or Deputy in the University Court, all Heads or Governors of Colleges and Halls, the Canons of the Cathedral Church of *Christ*, the several Royal Professors, and all other University Professors and Prelectors, the Proctors of the University, the Publick Orator, the *Bodleian* and *Radclivian* Librarians, the Keepers of the University Archieves, the Masters of the Streets, the Register of the University, and the Vice-principals of the several Halls; and also the Mayor, Recorder, Aldermen, Assistants, Bailiffs, Town-clerk, and Solicitor of the City of *Oxford* for the Time being, and such other of the Citizens of *Oxford* as have now, or hereafter shall have served the Office of Bailiff of the said City; together with¹; and One Person for each and every of the Colleges and Parishes in the said University and City, and the Suburbs thereof, and the said Parish of *Saint Clement*, to be elected in manner hereafter mentioned, and their Successors, shall be, and they are hereby appointed Commissioners for putting this Act in Execution.

II.
Commis-
sioners for
the Col-
leges.

And be it further enacted, That it shall and may be lawful to and for the Head or Governor of each College within the said University, and the Masters of Arts, and Persons of superior Academical Degree, resident for the Time being within such College, and on the Foundation thereof, to meet together in their Common Dining Hall, or some other publick Place, between the Hours of Nine and Twelve in the Forenoon of the Third *Tuesday* after the

¹ Certain persons were appointed by name.

A. D.
1770-1.

passing of this Act,¹ or as soon after as conveniently may be, and the major Part of such Persons then resident, and there assembled, shall and may proceed to elect One of the Fellows, or Masters of Arts, or Persons of superior Degree on the Foundation of such their respective College, to be a Commissioner for such respective College: And in case of an Equality of Votes in the Election of a Commissioner for any such College respectively, the Head or Governor, or in his Absence his Deputy, or in their Absence, the senior Fellow present, of such College, shall have the casting Voice; and such Person so elected shall and may continue to act and be a Commissioner for putting in Execution the Powers in this Act contained, during the Time he shall actually remain a Fellow of such College, or on the Foundation thereof; Provided that when and as often as any of the said Commissioners, to be chosen by their respective Colleges as aforesaid, shall happen to die, resign, or refuse to act, or his Fellowship, Studentship, or other Place on the Foundation shall become vacant, it shall and may be lawful, within One Month after such Disqualification, Death, Resignation, Refusal, or Vacancy, for the several Voters in the College of which such Commissioner was a Member, to proceed to elect another Commissioner, in manner above mentioned, and so *toties quoties*, as Occasion shall be or require.

[Sections 3 and 4 provide for the election of parish Commissioners.

Section 5 imposes a property qualification on Commissioners of land in possession worth £40 a year or personalty to the value of £800.

Section 6 provides for the co-opting of Commissioners to fill vacancies caused by the death or refusal to act of Commissioners who are neither *ex officio* nor elected.

Sections 7-11 contain several provisions with regard to the Commissioners and their meetings.

Sections 12-18 authorize the erection of turnpikes on the

¹ This Act received the Royal Assent on Thursday the 28th of March, 1771.

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roads authorized to be repaired and the taking and enforcing tolls.

Section 15 exempts from tolls among others persons 'going to, or returning from, any Election of a Knight or Knights of the Shire to serve in Parliament for the County of *Oxford*, or of a Burgess or Burgesses for the said University, or of a Citizen or Citizens for the said City of *Oxford*, on the Day or Days of such Election'.]

XIX.
Mile-way
Monies
to be
collected
by the
Clerk of
the Com-
missioners.

And whereas it will be most convenient for the Publick, and also for the said University and City, that the Expenditure of all such annual Sums as now remain payable to the Vice-chancellor and Mayor (and are not disposed of by any former Turnpike Act¹), for or towards the repairing the said Mile-ways, should be under the Direction and Management of the Commissioners for putting this Act in Execution; be it therefore enacted, That from and after the Twenty-fourth Day of *June*, One thousand seven hundred and seventy-one, the Clerk of the said Commissioners for the Time being shall be, during the Continuance of this Act, and he is hereby constituted and appointed the Deputy of the said Vice-chancellor and Mayor, for collecting the said annual Sums; and the said Clerk, for the Time being, shall and may demand and receive the said respective Sums of the Surveyor or Surveyors of the Highways for the Time being of each respective Parish and Township; and in Default of Payment thereof, shall and may levy the same by Distress and Sale of the Goods of such Surveyor or Surveyors, returning the Overplus (if any be) upon Demand, after deducting thereout the Charges of such Distress and Seizure: And it shall and may be lawful to and for the said Surveyor or Surveyors, who shall have paid such Sums, or on whom such Distress shall have been made, to reimburse themselves such Sums so paid or distrained for, by collecting the same of the Persons whose Estates have usually been

¹ See (*supra*) 2 Geo. 3. c. 41 and 7 Geo. 3. c. 66; and see (*infra*) 18 Geo. 3. c. 99 for a later transfer of Mileway moneys to Turnpike Trustees.

chargeable therewith, or by any other Means whereby, according to the Laws now in being, Surveyors of Highways are to be reimbursed the Monies by them expended in buying Materials for amending the Highways; and the said Clerk of the said Commissioners shall pay the Sums so received by him to the Treasurer of the said Road for the Time being, to be applied to the Repairs of the said Mile-ways, and to the other Purposes of this Act.

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[Sections 20 and 21 authorize borrowing on mortgage of the tolls, section 22 the farming out of the tolls.

Section 23 empowers the Commissioners or any seven or more of them at their meeting from time to time to appoint Collectors and other officers.]

Provided always, That as often as any Collector of the Tolls shall die, resign his Office, or be incapable of performing his Duty, it shall be lawful for any Seven or more of the said Commissioners, (of whom the Vice-Chancellor and Mayor, or their Deputies, to be always Two) though not assembled at any Meeting pursuant to this Act, by any Writing under their Hands to appoint another Person to collect such Tolls, and such Person shall continue to collect the same, until the Commissioners shall, at a Meeting to be held in pursuance of this Act, appoint a Collector; any Thing herein contained to the Contrary notwithstanding.

XXIV.
Collector
dying or
incapable,
another
Person
to be
appointed.

[Section 25 prohibits officers from taking fees beyond their salary and from being interested in contracts.]

And be it further enacted, That out of the First Money arising by the Tolls and Duties which shall be collected by virtue of this Act, or out of the Money which shall be borrowed on the Credit thereof, and out of the Rates or Assessments herein-after directed to be made, the said Commissioners, or any Five or more of them, shall, in the First Place, pay and discharge all the Expences and Charges of procuring and passing this Act; and shall apply the Remainder of the Money so raised in erecting a Gate or Gates, Turnpike or Turnpiks, and Toll-House or Toll-Houses, and in repairing, widening, turning, or altering the

XXVI.
Tolls how
to be
applied.

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several Mile-ways, not included in any Turnpike Act ; in rebuilding or repairing and widening the said Bridge ; in repairing and paving the Roads and Streets which lead from *Magdalen Bridge* to the Two great Roads on the North Side of the City of *Oxford*, leading respectively, the One to *Birmingham* and *Worcester*, the other to *Banbury* ; and also to the great Road on the West Side of the said City, leading to *Gloucester* and *Bath* ; and also to the great Road on the South Side of the said City, leading to *Abingdon*, *Newbury*, and *Southampton* ; which said Roads and Streets are particularly enumerated and described in the Schedule hereto annexed, intituled, *The First Schedule*, in purchasing such Ground, Houses, Buildings, and other Erections as shall be found necessary or wanting for the widening, turning, or altering all or any Parts of either of the said Mile-ways, or the said Roads and Streets so directed to be paved and repaired as aforesaid ; and in defraying the necessary Costs, Charges and Expences attending the Execution of the Powers relating thereto ; and to such other Purposes as are herein directed, and to no other Use or Purpose whatsoever.

XXVII.
Commissioners im-
powered to
widen the
Roads, &c.

And be it further Enacted, That the said Commissioners, or any Fifteen or more of them, shall have full Power and Authority to treat for and purchase the Houses, Gates, Shambles, Buildings, Grounds, and Estates, within or near the said University, City, and Suburbs, and the Parish of *Saint Clement*, mentioned and described in the Schedule to this Act annexed, intituled, *The Second Schedule*, in order to widen, turn, and alter the said Mile-ways, Roads, or Streets, hereby directed to be repaired, paved, and amended ; and to make such Satisfaction as they shall think reasonable for any the Loss or Damage the Owners, Proprietors, Occupiers, and Persons interested, or any of them, shall sustain by such widening, turning, or altering, any of the said Mile-ways, Roads, or Streets ; and also to order and direct the said Bridge, called *Magdalen Bridge*, to be pulled down, widened, repaired, or rebuilt, and the said Mile-ways, Roads, or Streets, to be amended, paved,

raised, sunk, altered, or repaired, when, and in such Manner as they shall think fit.

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Provided always, and be it further enacted, That the said Commissioners shall not have Power to purchase any such Houses, Gates, Shambles, Buildings, Ground, and Estates, within or near the said University, City, or Suburbs, or the said Parish of *Saint Clement*, by virtue of this Act, unless Eight Days publick Notice be previously given in the *Oxford Journal*, or some other publick Paper, and also at the Schools and Town-hall, of a Meeting to be held for that Purpose; nor shall any Gates, Houses, Shambles, or other Buildings, be pulled down, or Grounds or Estates be thrown open, in consequence of any Order for that Purpose, unless Three Months Notice (at the least) shall be given to the Owners and Occupiers of the same respectively, to enable them to provide themselves accordingly.

XXVIII.
Eight
Days pre-
vious No-
tice being
given of a
Meeting
for that
Purpose.

And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for all Persons whatsoever, Bodies Politick, Corporate or Collegiate, Corporations Aggregate or Sole, who are or shall be seised or intitled in their own Right, Trustees and Feoffees in Trust, Femes-covert, Guardians, and Committees for Lunaticks and Ideots, Executors and Administrators and Guardians whatsoever, not only in Behalf of themselves, their Heirs and Successors, but also for and in Behalf of their Cestuique Trusts, whether Infants or Issue unborn, Lunaticks, Ideots, Femes-covert, or other Persons whatsoever, who are or shall be seised or possessed of or interested in any such Houses, Gates, Shambles, Buildings, Grounds, or Estates, to contract for, sell, convey, or surrender to the said Commissioners, or any Fifteen or more of them, or to any Person or Persons they shall appoint in Trust for them, all or any such Houses, Gates, Shambles, Buildings, Grounds, or Estates, or any Part thereof, or any Term for Years, or any Estate or Interest therein; and that all such Contracts, Agreements, Bargains, Sales, Assignments, Surrenders, and other Conveyances which shall be so made as aforesaid,

XXIX.
Owners of
Houses,
Gates,
Shambles,
Stalls, &c.
impowered
to sell
the same.

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shall be good and valid in Law to all Intents and Purposes whatsoever, not only to convey the Estate of the Person or Persons conveying, but also all Right, Estate, Interest, Use, Property, Claim, and Demand whatsoever of their several and respective Cestuique Trusts, whether Infants or Issue unborn, Lunaticks, Ideots, Femes-Covert, or other Persons whatsoever, and all Persons claiming, or to claim by, from, or under them; any Law, Statute, or Usage to the Contrary thereof in any-wise notwithstanding.

[Sections 30-34 provide for assessing compensation in default of agreement.]

XXXV.
Part of
Saint
Clement's
Church-
yard may
be taken
into the
Road.

And whereas the Church-yard of the Parish of *St. Clement* aforesaid is so inconveniently situated, as to render the Road very narrow, incommodious, and dangerous to Travellers, and it may therefore become necessary and expedient, in the Execution of this Act, to take away and lay open Part thereof; be it further enacted, That it shall and may be lawful to and for the said Commissioners, or any Fifteen or more of them, according to their Discretion, to take in and lay open such Part of the said Church-yard as shall be thought necessary to be laid open and allotted to the said publick Road, they the said Commissioners, in case they shall take in and lay open any Part of the said Church-yard, purchasing (which they are hereby impowered to do) out of the Monies arising from the said Tolls, and making an Allotment of Ground adjacent to the said present Church-yard at least One Third more in Quantity than what shall be so taken away; which Ground so to be purchased by the said Commissioners for the Purposes aforesaid, shall be thereafter used as a Church-yard or Burying-ground for the said Parish of *Saint Clement*, and shall be vested, by virtue of this Act, in the Rector of the said Parish, and his Successors; and he and they shall be seised thereof, as in his and their Demesne, as of Fee, in Right of the Parish Church of *St. Clement* aforesaid; and shall have and be intituled to such Burial or other Fees (if any) in respect thereof, as have been usually and of Right accustomedly paid for and in respect of such Part

of the said Church-yard as shall be laid open and allotted to the said Road.

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And be it further enacted, by the Authority aforesaid, That the said Commissioners, or any Nine or more of them, shall and may open and make a temporary Road or Way near *Magdalen Bridge* aforesaid, to communicate with the Mileway, and may also erect and build a temporary Bridge or Bridges; (which said temporary Bridge or Bridges, and Road, are to be made Use of by all Passengers with Carriages and Cattle, as a publick Highway, whilst the said Bridge is building or repairing, and until the same is compleated): Provided that such Satisfaction shall be made to the Owners or Occupiers of such Ground respectively through, over, or along which such Road shall be made, for the Damages which such Owners or Occupiers respectively, shall or may thereby sustain, as shall be adjudged reasonable by the said Commissioners, or any Nine or more of them: And in case any Difference shall happen between such Owners or Occupiers and the said Commissioners, touching such Damages, that then it shall and may be lawful to and for the Justices of the Peace, at their next General Quarter-sessions of the Peace, or at their Second General Quarter-sessions at the farthest, to be holden for the said County of *Oxford*, to hear, settle, adjudge, and finally determine the same, and direct the Payment thereof accordingly.

XXXVI.
A temporary
Road and
Bridges
may be
erected.

[Section 37 makes it felony to damage the bridges or works.

Section 38 authorizes the sale of the materials of the old bridge and pavement.

Section 39 extinguishes from and after the fourth Tuesday from the passing of the Act the Office of Surveyor of highways in parishes having no roads but what are directed by the Act to be paved and repaired.

Sections 40-42 give powers to make and enforce contracts for the carrying out of the works, and to take gravel and other materials, paying for the same.

Section 43 imposes penalties on persons obstructing the works.]

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XLIV.
Expence
of paving
the Streets
how to be
borne.

And be it further enacted, by the Authority aforesaid, That from and immediately after the passing of this Act, the said Commissioners, or any Seven or more of them, shall have full Power and Authority, and are hereby required, from Time to Time, yearly and every Year, during the Continuance of this Act, to rate and assess the Sum of Sixpence (and no more) upon all Colleges, Halls, Parish Churches, Church-yards, Chapels, and other publick Buildings whatsoever; as also all Meeting-houses, Dead Walls, and all void Spaces of Ground, and upon the Owners or Proprietors of all Houses, Yards, Gardens, Lands, Tenements, or Hereditaments, situated on the Sides of, or which form the said Streets hereby directed to be paved and repaired for every Yard, running Measure, of the Front or Fronts, Length or Lengths of such Colleges, Halls, Parish Churches, Church-yards, Chapels, and other publick Buildings, Meeting-houses, Dead Walls, void Spaces of Ground, Houses, Yards, Gardens, Lands, Tenements, or Hereditaments; which said Rate or Assessment shall be in lieu of the Repairs heretofore done by or chargeable upon such Colleges, Halls, Parish Churches, Church-yards, Chapels, and other publick Buildings, Meeting-houses, Dead Walls, void Spaces of Ground, Houses, Yards, Gardens, Lands, Tenements, or Hereditaments; and shall be applied in Aid of the Tolls hereby granted, for the several Purposes to which such Tolls are hereby directed to be applied, and to no other Use or Purpose.

XLV.
By whom
Expences
of paving
the Fronts
of Col-
leges, &c.
to be paid.

And be it further enacted, That the Rates or Assessments for and in respect of the said Pavement to be laid upon any publick or other Building, belonging to the said University or City, shall be paid to the Collectors for the Time being, appointed by the said Commissioners, or any Seven or more of them, by the Vice-chancellor and Mayor respectively; and the Rates or Assessments so to be laid upon any College or Hall, shall be respectively paid, as aforesaid, by their respective Bursars, or other Officers employed in or usually receiving the Rent of their respective Estates; and the Rates or Assessments to be laid upon any Parish

Church, Chapel, or Church-yard, shall be paid, as aforesaid, by the respective Church or Chapel-wardens; and the Rates or Assessments to be laid upon any Meeting-houses shall be paid, as aforesaid, by the Minister and Deacons, or other Persons usually officiating therein: And if such Vice-chancellor, Mayor, Bursar, or other Officer, or such Church or Chapel-warden, Minister, Deacon, or other Person, shall refuse or neglect to pay the same upon Demand; then, and in every such Case, such Rates or Assessments shall and may be recovered of and from the Person or Persons so required to pay the same, by Action of Debt, Bill, Complaint, or Information, in any of his Majesty's Courts of Record at *Westminster*, to be commenced and prosecuted by and in the Name of the said Commissioners, or any Two or more of them, or in the Name of their Treasurer; in which Action or Suit, no Essoin, Protection, or Wager of Law, or more than One Impar lance shall be allowed.

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[Section 46 authorizes tenants paying rates to deduct the amount from their rent, and where the rate exceeds the rent to recover the overplus from the owner; authorizes the levying of the rate by distress on tenants and occupiers if it be not paid within ten days after demand; and makes the owner liable for the rate if the tenant or occupier removes without paying it or has not sufficient goods to produce it by distress.]

And whereas, some Doubts may hereafter arise, who shall be deemed the Owner or Owners of the several Houses, Buildings, Yards, Lands, Tenements, and Hereditaments in the said University, City, and Suburbs, and the said Parish of *Saint Clement*, for the Purposes, and within the true Intent and Meaning of this Act; for removing whereof, be it further enacted, That neither the Chancellor, Masters and Scholars of the University, nor any College or Hall, nor the Mayor, Bailiffs, and Commonalty of the City of *Oxford*, or any other Person or Persons, shall, on Account of any Ground-rent, or other Acknowledgement, Sum or Sums of Money, in Nature of a Ground-rent, or Rents certain, issuing out of or payable for any

XLVII.
Who shall
be deemed
Owners.

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Message, Yard, Garden, Land, Tenement or Hereditament in the said University, City, and Suburbs, and the said Parish of *Saint Clement*, or on account of their Reversion or Interest of or in the Message, Yard, Garden, Land, Tenement, or Hereditament, for which such Ground-rent, Acknowledgement, Sum or Sums of Money, shall be payable, be considered, deemed, taken, or adjudged to be the Owner or Owners, Proprietor or Proprietors of such Message, Yard, Garden, Lands, Tenements or Hereditaments; but the Lessee or Lessees of the said Chancellor, Masters and Scholars of the said University, or of any College or Hall, or of the said Mayor, Bailiffs and Commonalty, or of such other Person or Persons, or their Assigns, shall, during the Existence of the Term for which such Message, Yard, Garden, Lands, Tenements or Hereditaments shall be demised, be considered, deemed, taken, and adjudged, for all and every the Purposes of this Act, to be the Owner or Owners, Proprietor or Proprietors, of such Message, Yard, Garden, Lands, Tenements or Hereditaments; and shall, during such Term, bear and pay all Expences and Impositions whatsoever, by Force or Virtue hereof, to be borne or defrayed by the Owner or Owners, Proprietor or Proprietors, of the said Message, Yard, Garden, Lands, Tenements and Hereditaments; any Thing in this Act contained to the Contrary thereof in any-wise notwithstanding.

[Section 48 saves contracts between landlord and tenant as to the payment of the rate.]

XLIX.
Charges
of cleans-
ing and
lighting
Streets,
&c. to be
borne by
Occupiers.

And be it further enacted by the Authority aforesaid, That from and after the passing this Act, the said Commissioners, or any Seven or more of them, shall have full Power and Authority, from Time to Time, to cause, order, and direct, not only the said Bridge, Roads, or Streets, herein before directed to be paved and repaired, but also all other the publick Streets, Lanes, Ways, Passages, and Places, within the said University, City, or Suburbs, and the said Parish of *Saint Clement*, to be cleansed and lighted in such Manner as they shall think necessary; and that

for defraying the Charges and Expences attending the cleansing and lighting thereof, it shall and may be lawful to and for the said Commissioners, or any Seven or more of them, in every Year after the passing of this Act, or oftener, if they, or any Seven or more of them, shall think it necessary, (the First Year to be computed from the Feast Day of *Saint John the Baptist* next after the passing of this Act, and every succeeding Year from the said Day in every Year respectively) to make One or more Rate or Rates, Assessment or Assessments, upon all Colleges, Halls, Parish Churches, Church-yards, Chapels, and other publick Buildings whatsoever ; as also upon all Meeting-houses, dead Walls, and void Spaces of Ground ; and upon the Tenants or Occupiers of all Houses, Buildings, Yards, Gardens, Lands, Tenements, and Hereditaments, in the said University, City, and Suburbs thereof, and the said Parish of *Saint Clement*, so as such Rate or Rates, Assessment or Assessments, do not exceed in the Whole in any One Year, to be computed as aforesaid, the Sum of Eighteen Pence for every Yard running Measure of the Front or Fronts, Length or Lengths, of such Colleges, Halls, Parish Churches, Church-yards, Chapels, and other publick Buildings, Meeting-houses, dead Walls, and void Spaces of Ground, Houses, Buildings, Yards, Gardens, Lands, Tenements, or Hereditaments respectively, as are next to such Streets, Lanes, Ways, Passages, and Places ; which Rate or Rates, Assessment or Assessments, laid upon any Colleges, Halls, Parish-churches, Church-yards, Chapels, and other publick Buildings and Meeting-houses, shall be paid by the several and respective Persons, in such Manner, and with the like Remedies in case of Nonpayment, as are herein before directed, for and in respect of the Pavement chargeable on Colleges, Halls, Parish-churches, Church-yards, Chapels, and other publick Buildings and Meeting-houses respectively ; and which Rate or Rates, Assessment or Assessments, hereby directed to be laid or charged upon the Tenants or Occupiers of all Houses, Buildings, Yards, Gardens, Lands, Tenements, or

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Hereditaments, shall and may, in case of Nonpayment, be levied and recovered in such Manner, and with the like Remedies, as are herein before directed, for and in respect of the Pavement chargeable on the Owners or Proprietors of Houses, Buildings, Yards, Gardens, Lands, Tenements, and Hereditaments, on the Sides of, or which form, the Streets hereby directed to be paved and repaired as aforesaid.

L.
Nothing
in this
Act to ex-
tend to
any Col-
lege
Courts.

Provided always, and be it further enacted by the Authority aforesaid, That nothing herein contained shall extend to the Inside of any Court or other Place within any College or Hall in the said University of *Oxford*, or other publick Building, or to the Parish of *Binsey* within the Suburbs of the said City.

[Section 51 provides for an appeal to Quarter Sessions against the rates.

Section 52 exempts from payment of the rates for sweeping cleansing and lighting any person who is excused on the ground of poverty from contributing to the poor rate.

Section 53 requires occupiers to sweep the footpaths in front of their houses.

Sections 54-58 provide for the sweeping of the streets and scavengering.]

LIX.
Penalty
for extin-
guishing
or damag-
ing
Lamps
by matri-
culated
Persons.

And be it further enacted, by the Authority aforesaid, That if any matriculated Person or Persons, or Member of the said University, shall wilfully break, throw down, or otherwise damage, any of the Lamps which shall be erected by virtue of this Act, or any of the Posts, Irons, or other Furniture thereof, or extinguish any of the said Lamps, it shall and may be lawful to and for the Vice-chancellor of the University, or his Deputy, on account of Absence, commonly called the Pro-Vice-chancellor, or his Assessor in the University Court, and they are hereby required, upon Oath made of the Commission of any such Offence, which Oath the said Vice-chancellor, or his said Deputy, or his said Assessor, or any of them, is and are hereby impowered and required to administer to any Person or Persons offer-

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ing to make the same, to issue a Warrant or Warrants for apprehending the Party or Parties accused ; or it shall be lawful for any Person or Persons whatsoever, who shall see such Offence committed, to apprehend, as also for any other Person or Persons to assist in apprehending the Offender or Offenders, and by Authority of this Act, to convey him or them before the said Vice-chancellor, Deputy, or Assessor, to be dealt with as herein after is directed ; and the Party or Parties so accused being brought before the said Vice-chancellor, Deputy, or Assessor, or Oath being made before him or either of them, that such Party or Parties cannot be found and apprehended, which Oath the said Vice-chancellor, Deputy, or Assessor, is and are hereby also required and impowered to administer, the said Vice-chancellor, Deputy, or Assessor, shall proceed to examine upon Oath any Witness or Witnesses who shall appear, or be produced, to give Information touching such Offence ; and if the Party or Parties accused shall be convicted of such Offence, either by his or their own Confession, or upon such Information as aforesaid, he or they so convicted shall, for the first Offence, respectively forfeit and pay, to be applied to the Purposes of this Act, a Sum not exceeding Ten Shillings, nor under Five Shillings, for each Lamp so broken or thrown down, damaged, or extinguished as aforesaid ; for the Second Offence the Sum of Fifteen Shillings, and for the Third and every subsequent Offence the Sum of Twenty Shillings ; and full Satisfaction shall also be made to the said Commissioners, or their Surveyor, by such Offender or Offenders, for the Damage so by him or them done as aforesaid : And in case the Offender or Offenders shall refuse or neglect to pay the said Penalties, and make such Satisfaction to the said Commissioners as aforesaid, it shall and may be lawful for the said Commissioners, or any Two or more of them, to proceed for and recover the same in the Vice-chancellor's Court of the said University ; and also for the said Vice-chancellor, Deputy, or Assessor, sitting in Judgement in the said Court to inflict, by way of further Punishment on the said Offender or

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Penalty
on other
Persons
breaking
or Damag-
ing the
Lamps.

Offenders, all or any of the Penalties, whether pecuniary or other, which by the Statutes of the said University they are empowered to inflict on matriculated Persons convicted of Violation of publick Authority, or other Disturbance of the Peace: And if any Person or Persons (not being matriculated or a Member of the said University) shall be guilty of any of the said Offences, the same may be inquired into, and the like Penalties inflicted under the Authority of any Justice or Justices of the Peace, acting in and for the said County or City, as is herein before directed to be done with respect to matriculated Persons, under the Authority of the said Vice-chancellor, Deputy, or Assessor: And in case the respective Penalties shall not be forthwith paid, the Justice before whom such Offender or Offenders shall be convicted, is hereby required to commit him, her, or them, to the House of Correction for the said County or City, there to be kept to hard Labour for any Time not exceeding Three Calendar Months; and such Offender or Offenders shall not be discharged before the Expiration of the Time for which he, she, or they shall be committed, unless such Forfeiture and Satisfaction shall be sooner paid and given, and the whole of the said respective Forfeitures, when recovered, shall be applied for the Purposes of this Act: And if any Person shall negligently or accidentally break, throw down, or otherwise Damage any of the said Lamps, or any of the Posts, Irons, or other Furniture thereof, and shall not upon Demand make Satisfaction to the said Commissioners, or any Five or more of them, or to their Surveyor, for the Damages by such Person done as aforesaid, it shall be lawful for any Justice of the Peace for the said County or City, and he is hereby required, upon Complaint to be made by any Two or more of the said Commissioners, or by their Surveyor, to summon the Party complained of, and upon his or her Appearance, or making Default to appear (Oath being made that the Party complained of was served with such Summons, or that the same was left at his or her Dwelling-house, or Place of Abode, if known, or that he or she could not be found) such Justice

shall proceed to examine the Matter of the said Complaint, and upon Proof thereof, either by Confession of the Party complained of, or by the Oath of One or more credible Witness or Witnesses (which Oath the said Justice is hereby empowered and required to administer) shall award and order such pecuniary Satisfaction to be made by the Party complained of, for the Damage so by him or her done, as to such Justice shall appear just and reasonable; and shall cause the Sum so awarded, in case the same be not paid forthwith upon the making such Award and Order, to be levied by Distress and Sale of the Offender's Goods and Chattels, rendering to him or her the Overplus (if any be) upon Demand, after the Charges of prosecuting such Complaints, and of such Distress and Sale shall be deducted; and in case sufficient Distress cannot be found, such Justice shall commit the Party complained of to the common Gaol for the said County or City, until he or they shall pay the Sum so awarded, or for any Time not exceeding the Space of One Calendar Month.

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Provided always, That in case the Party who shall have done, through Negligence, or Accident, such Damage as aforesaid, shall happen to be a matriculated Person, then such Complaint as is herein last before directed to be made to any Justice of the Peace for the said County or City, shall be made only to the said Vice-chancellor, or to his Assessor in the University Court, or in case of the Vice-chancellor's Absence, to his Pro-Vice-chancellor, or his Deputy, on account of Absence, each or any of whom shall have full Power to examine the Matter of the Complaint, to administer Oaths, to award pecuniary Satisfaction, to levy the same by Distress and Sale of the Goods of the Party complained of, and to do all the other Things before mentioned, or incident thereto, in like Manner, and in the like Cases, as may be done when the Party complained of is not a matriculated Person, by any Justice of the Peace for the said City or County.

LX.
For
Damages
done by
matricu-
lated
Persons
Complaint
may be
made.

[Sections 61-69 prohibit various nuisances and obstruc-

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tions in the streets and encroachments thereon by advancing the frontage of a house on rebuilding.

Section 70 requires cellar windows to be lighted at night if left open.

Section 71 deals with the repair of damage to pavements caused by bursting of water pipes or by their being taken up by waterworks proprietors.

Sections 72-77 prescribe the keeping of books and procedure of the Commissioners, and authorize compounding for breaches of contract and forfeitures.

Section 74 *inter alia* gives to the Commissioners on the death or bankruptcy of any collector priority in respect of any moneys received by him under the Act.]

LXXVIII.
Colleges
and Cor-
porations
impowered
to sell
Houses,
&c.

And whereas many Houses, Edifices, Shops, and Warehouses, within the said University and City, and the Suburbs thereof, and the said Parish of *Saint Clement*, belong to Bodies Corporate, and are irregularly built, and by reason of their contingent Tenure are frequently suffered to fall in a ruinous state; be it therefore enacted, That it shall and may be lawful for any Body Corporate or Collegiate, whether of University or City, Aggregate or Sole, to alienate and sell for ever any Tenements or Hereditaments, and the Scite thereof, with their Appurtenances, standing or being within the University and City of *Oxford*, or the Suburbs thereof, or the said Parish of *Saint Clement*, provided that all and every Sum and Sums of Money to be paid to such College or Corporation for the Purchase of such Tenement or Hereditament be lodged in any of the publick Funds, in the Name and Names of the three Regius Professors of Divinity, Law, and Physick, in Trust, for the Use of the said Colleges, or Corporation, for Houses belonging to the College or the University; and for Houses belonging to the City, in the Names of the Mayor, Recorder, and Town-clerk, to be by them laid out in the Purchase of Lands and Hereditaments, without the University, City, and Suburbs of *Oxford*, or otherwise settled and appropriated for such Uses and Trusts, as the Houses and Tenements so sold by such

Corporation or College were settled and limited at the Time of such Sale so made.

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And be it further enacted by the Authority aforesaid, That all and every Sum and Sums of Money to be paid to any Person, Body Corporate or Collegiate, Corporation Aggregate or Sole, Feoffee or Feoffees in Tail, Guardian, Committee, or other Trustee or Trustees, in pursuance of this Act, shall be by them respectively laid out in the Purchase of Lands, Tenements, and Hereditaments, and settled to, upon, and subject to such Titles, Uses, Trusts, Limitations, Remainders, and Contingencies, as the said Lands and Premises, so to be purchased by the said Commissioners as aforesaid, were settled, limited, and assured, at the Time of such Sale so made respectively, or as near as the same can be settled, limited, and assured, and shall and may be held and enjoyed accordingly.

LXXIX.
Money to
be laid out.

And be it further Enacted, by the Authority aforesaid, That so much of this Act as relates to the Tolls hereby granted, and to widening, altering, and repairing the Roads and Bridge herein mentioned, shall take place, from and after the said Fourth *Tuesday* after passing of this Act,¹ and shall continue in force for the Term of Twenty-one Years, and to the End of the then next Session of Parliament, and no longer; and that from the Expiration, or sooner Determination thereof, the said Mile-ways and Bridge shall be repaired, from Time to Time, in such and the same Manner, as the same were or ought to have been repaired before the passing of this Act, or as they would or could have been, in case the same had not been made.

LXXX.
Continu-
ance of
the Tolls.

Provided always, That if the several Purposes, to which the said Tolls are hereby directed to be applied, shall be effected and compleated before the Expiration of the said Term hereby granted, and the Principal Money borrowed and secured upon the Credit thereof be repaid and satisfied, then, and from thenceforth, all the Tolls hereby imposed, shall absolutely cease and determine.

LXXXI.
Proviso
for deter-
mining
the Tolls
sooner.

And whereas the holding of a Market as heretofore

LXXXII.

¹ See note to section 2 (*supra*).

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Power to
remove the
Market
and erect
another.

accustomed for selling of Meat, Fish, and Garden Stuff, in the *High Street* and *Butcher Row*, in the said City, hath been found very inconvenient, by reason of the great Number of Coaches, Carts, and other Carriages, and Travellers, passing and repassing through the same, to and from the Roads above mentioned: And whereas, it is necessary for the Benefit and Accommodation of the Inhabitants of the said University, City, and Suburbs, and of all Persons resorting thereto, that a Market should be still continued for the Sale of all Kinds of Meat, Fish, Poultry, and Garden Stuff; and the Chancellor, Masters, and Scholars of the said University, and Mayor, Bailiffs, and Commonalty of the said City, are desirous to erect, hold, and maintain such Market; it is hereby further enacted, That the said Commissioners, or any Fifteen or more of them, shall have full Power and Authority to view, set out, and describe such Plot or Piece of Ground, between the *High Street* and the Lane called *Jesus College Lane*, within the said City, as they shall adjudge most convenient and proper for holding the said Market, and to and for making proper Avenues thereto: And it is hereby further enacted by the Authority aforesaid, That the said Chancellor, Masters, and Scholars of the said University, and their Successors, by and with the Consent and Approbation of the said Mayor, Bailiffs, and Commonalty of the said City, and their Successors, shall have Power and Authority, and they are hereby authorized and impowered to remove, or cause to be removed, the Markets for all Kinds of Meat, Fish, Poultry, and Garden-stuff, and to establish and hold, or cause to be established and held,¹ within the Limits of the said Plot or Piece of Ground, so to be set out and described by the said Commissioners as aforesaid, for the Scite of the said Market; and that it shall and may be lawful to and for the said Chancellor, Masters, and Scholars, by and with the Consent and Approbation of the said Mayor, Bailiffs, and Commonalty, to cause such Market to be held within the Limits aforesaid, daily and

¹ *Sic.*

every Day, or less frequently, according as the same shall to them appear necessary for the Convenience and Accommodation of the Inhabitants of the said University, City, and Suburbs, and of Persons resorting thereto.

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Provided, that Nothing herein contained shall extend, or be construed to extend, to take away the Right of the said Chancellor, Masters, and Scholars, to appoint or nominate One or more Clerk or Clerks of the said Market, and otherwise to govern, regulate, and superintend the same, as heretofore accustomed with respect to the antient Market-place or Places, or to take away the Right of the said Mayor, Bailiffs, and Commonalty, to such Pitching-pence or Tolls as have been heretofore paid to them or their Toll-gatherer, by Butchers, Gardeners, and others; but the same respectively shall remain and belong to the said Chancellor, Masters, and Scholars, and the said Mayor, Bailiffs, and Commonalty, severally, as before the passing this Act; and the said Chancellor, Masters, and Scholars, and Mayor, Bailiffs, and Commonalty, respectively, shall and may prescribe and have such Remedies for the same in such new Market, as they could have and were intitled to in the Places where the antient Markets were usually or commonly held.

LXXXIII.
Reserva-
tion of
the Right
of the Uni-
versity to
superin-
tend and
regulate
the Mar-
kets, and
of the City
Right to
Pitching-
pence or
Tolls.

And, for preventing any Encroachments which might hereafter be made on the said Market, be it further enacted by the Authority aforesaid, That from and after the same shall be compleated and used as a Market, it shall not be lawful for any Person or Persons to erect or hold any other Market within the said University, City, or Suburbs, except the present Markets for Corn, Pigs, and Butter,¹ or to vend or expose to Sale any Manner of Flesh, or other Raw Victuals, Fish, Poultry, Herbs, Roots, or Garden-stuff, which are usually sold in publick Markets in any other Place whatsoever within the said University, City, or Suburbs; and every Person who shall so vend, or expose to Sale, any Manner of Flesh, or other raw Victuals, Fish, Poultry, Herbs, Roots, or Garden-stuff, out of the said

LXXXIV.
No Meat,
Fish,
Poultry,
or Garden-
stuff to
be sold
elsewhere.

¹ As to butter, see 21 Geo. 3. c. 47. s. 26 (*infra*).

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Market, within the said University, City, or Suburbs, and shall be convicted thereof before any One or more of His Majesty's Justices of the Peace for the County or City of *Oxford* aforesaid, shall, for every such Offence, forfeit and pay the Sum of Five Pounds; to be recovered by Distress and Sale of the Goods and Chattels of the Offender, rendering the Overplus, (if any there be) after deducting the Expence of such Distress and Sale to the Owners thereof; One Moiety whereof shall go to the Informer, and the other Moiety to the Poor of the Parish where the Offence or Offences shall be committed.

'LXXXV.
Fish-
mongers or
Poulterers
may sell in
their own
Houses.

Provided always, That nothing herein contained shall be construed to extend to prevent Fishmongers or Poulterers from selling Fish or Poultry in their own Shops or Houses, as heretofore accustomed in the said University, City, and Suburbs.

LXXXVI.
Justices
may miti-
gate Penal-
ties.

Provided also, nevertheless, That it shall and may be lawful to and for the said Justices, where they shall see Cause, to mitigate or lessen any such Penalties or Forfeitures, according to their Discretion.

LXXXVII.
Power to
appoint
a Com-
mittee of
Members
of each
Body.

And, for enabling the said Chancellor, Masters, and Scholars, and the said Mayor, Bailiffs, and Commonalty, to effect the several Purposes of this Act; be it further enacted, That it shall and may be lawful to and for the said Chancellor, Masters, and Scholars, in Convocation assembled, from Time to Time, to nominate, depute, and appoint, Six of the Members of Convocation resident within the said University, and for the said Mayor, Bailiffs, and Commonalty, in Council assembled, from Time to Time, to nominate, depute, and appoint, Six of the Members of the Council of the said City, residing within the said City or Suburbs, to be a Committee to treat and agree with the Owners and Occupiers, and all other Persons interested in the Houses and Buildings, standing on the said Plot or Piece of Ground, so to be set out as aforesaid for the said Market, and to do all Matters and Things for and in the Names of the said Chancellor, Masters, and Scholars, and the said Mayor, Bailiffs, and Commonalty,

necessary for carrying this Act into Execution, so far as the same relates to the said Market ; and such Committee, from Time to Time, so to be nominated, deputed, and appointed by the said Chancellor, Masters, and Scholars, and the said Mayor, Bailiffs, and Commonalty respectively, shall continue to act until others shall be by them severally nominated, deputed, and appointed in their stead.

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1770-1.

And be it further enacted, by the Authority aforesaid, LXXXVIII.
That it shall and may be lawful to and for all Persons Persons
interested
impowered
to sell
Houses,
&c. for
the Mar-
ket.
whatsoever, Bodies Politick, Corporate, or Collegiate, Corporations Aggregate or Sole, who are or shall be seised or intitled in their own Right, Trustees and Feoffees in Trust, Guardians and Committees for Lunaticks and Ideots, Executors, Administrators, and Guardians whatsoever, not only in Behalf of themselves, their Heirs and Successors, but also for and in Behalf of their Cestuique Trusts, whether Infants or issue unborn, Lunaticks, Ideots, Femes-covert, or other Persons whatsoever, who are or shall be seised or possessed of or interested in any Messuages, Lands, Tenements, or Hereditaments, which shall be necessary to be purchased for the holding the said Market, and to and for making proper Avenues thereto, to contract for, sell, convey, or surrender to the said Chancellor, Masters, and Scholars, and the said Mayor, Bailiffs, and Commonalty, all or any such Messuages, Lands, Tenements, or Hereditaments, or any Part thereof, or any Term for Years, or any Estate or Interest therein ; and that all such Contracts, Agreements, Bargains, Sales, Assignments, Surrenders, and other Conveyances, which shall be so made as aforesaid, shall be good and valid in Law, to all Intents and Purposes whatsoever, not only to convey the Estate of the Person or Persons conveying, but also all Right, Estate, Interest, Use, Property, Claim, and Demand whatsoever, of their several and respective Cestuique Trusts, whether Infants or Issue unborn, Lunaticks, Ideots, Femes-covert, or other Persons whatsoever, and all Persons claiming or to Claim, by, from, or under them, any Law, Statute, or Usage, to the contrary thereof in any-wise notwithstanding: And if it

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Jury may
settle
where
Persons
refuse to
treat.

shall happen that any Person or Persons, Bodies Politick, Corporate, or Collegiate, or other Person or Persons whatsoever, who are hereby enabled to convey as aforesaid, shall refuse to treat and agree with the said Chancellor, Masters, and Scholars, and the said Mayor, Bailiffs, and Commonalty, then, and in such Case, it shall and may be lawful to and for the said Chancellor, Masters, and Scholars, and the said Mayor, Bailiffs, and Commonalty, before any General Quarter-sessions of the Peace, to be holden for the said County of *Oxford*, or any Adjournment thereof, to give, or cause to be given, to such Owner or Owners, or to the principal Officer or Officers of such Bodies Politick, Corporate, Ecclesiastical, or Civil, or to leave, or cause to be left, at the House of the Tenant in Possession, of the Lands or Hereditaments intended to be so purchased, Twenty-one Days Notice in Writing, denoting and particularly describing the same, and purporting that the Value of such Lands or Hereditaments will be adjusted and settled by a Jury at the said Session, or the Adjournment thereof; and the Justices at their said Session, or any Adjournment thereof, upon Proof to them made of such Notice having been so given, or left, are hereby authorised and required to charge a Jury to be impannelled and returned by the Sheriff of the said County, without Fee or Reward, consisting of Twelve honest, substantial, and disinterested Persons, duly qualified to serve on Juries upon the Trial of Issues at Law, and cause them to be sworn well and truly on their Oaths to assess the Value of the Lands or Hereditaments comprised in the said Notice, and the Damages and Recompence to be given for the same, to the respective Owner or Owners thereof, according to their respective Interests therein, which Oath the said Justices are hereby required to administer to such Jury, and to which said Jury the said Chancellor, Masters, and Scholars, and the said Mayor, Bailiffs, and Commonalty, and all Parties interested in the said Lands or Hereditaments, shall have their lawful Challenges; and the said Jury, being so sworn and charged as aforesaid, and after proper Evidence on Oath to them

given concerning the Nature, Quantity, and Value of the said Lands or Hereditaments, shall, by their Verdict, assess the Damages and Recompence to be given for the said Lands or Hereditaments to the respective Owner or Owners thereof, according to their respective Interests therein; which Verdict of the said Jury, and the Judgement of the said Justices upon the same, shall be finally binding and conclusive to the said Chancellor, Masters, and Scholars, and the said Mayor, Bailiffs, and Commonalty, and to all Persons and Parties interested in the said Lands or Hereditaments, and such Verdicts, and the Judgement of the Justices thereupon, shall be fairly entered and kept amongst the Records of the Quarter-sessions for the County of *Oxford*, and the same, or true Copies thereof, shall be taken to be good and effectual Evidence and Proof in any Court of Law or Equity whatsoever; and all Persons may have Recourse to the same *gratis*, and take Copies thereof, paying Sixpence for every One hundred Words, and so in Proportion for any greater or less Number of Words.

And it is hereby further enacted and declared, That upon Payment of such Sum or Sums of Money so to be adjudged for the Purchase of the said Premises, or any Part thereof, the Person or Persons intituled thereto shall make and execute, or procure to be made and executed, good, valid, and legal Conveyances, Assignments, and Assurances in the Law, to the said Chancellor, Masters, and Scholars, and the said Mayor, Bailiffs, and Commonalty, of the said Premises, for which such Sum or Sums of Money were so awarded, and shall do all Acts, Matters, and Things necessary or requisite to make a good, clear, and perfect Title thereunto; and such Conveyances, Assignments, and Assurances shall contain all such reasonable and usual Covenants as shall, on the Behalf of the said Chancellor, Masters, and Scholars, and the said Mayor, Bailiffs, and Commonalty, be required: And in case any Person or Persons, to whom such Money shall be awarded as aforesaid, shall not evince a Title to the said Premises to the said Chancellor, Masters, and Scholars, and the said Mayor,

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LXXXIX.
Upon Pay-
ment or
Tender of
the Money,
Premises
vested in
the Univer-
sity and
City.

A. D.
1770-1.

Bailiffs, and Commonalty, and make, or procure to be made, good and legal Conveyances thereof, or shall refuse so to do, being thereunto required, such Sum and Sums of Money, so awarded as aforesaid, being ready to be paid to him, her, or them, on making such Title, and tendered for that Purpose; or in case the Person or Persons intitled to the Premises for which such Sum or Sums of Money shall be so awarded as aforesaid shall not be known; or in case that by reason of Disputes depending in any Court of Law or Equity, or for Defect of Evidence, it shall not appear to the said Chancellor, Masters, and Scholars, and the said Mayor, Bailiffs, and Commonalty, or the Committee to be appointed as aforesaid, what Person or Persons is or are intitled to the Premises in question; that then, and in all and every or any such Case or Cases as aforesaid, it shall and may be lawful to and for the said Committee to order such Sum or Sums of Money, so awarded as aforesaid, as the Value of and Purchase-money for the said Premises, to be paid into the Bank of *England* for the Use of the Parties interested in the said Premises, to be paid to them, and each and every of them, according to their respective Estates and Interests in the said Premises, at such Times as the said Committee, or any Seven or more of them shall, by Warrant or Warrants under their Hands, order and direct; and the Cashier and Cashiers of the Bank of *England*, who shall receive such Sum and Sums, is and are hereby required to give a Receipt or Receipts for such Sum and Sums, mentioning and specifying for what Premises, and for whose Use the same is or are received, to such Person or Persons as shall pay such Sum or Sums into the Bank of *England* as aforesaid; which Receipt or Receipts shall be entered on Record, and registered among the Records of the Quarter-sessions for the County of *Oxford*; and immediately on such Payment and Registry, all the Estate, Right, Title, Use, Trust, Property, Equity of Redemption, Claim and Demand in Law, and Equity of all and every Person and Persons for whose Use such Money was paid, of, in, to, from, and out of the said Premises, or any Part thereof, shall vest in the said

Chancellor, Masters, and Scholars, and the said Mayor, Bailiffs, and Commonalty; and they the said Chancellor, Masters, and Scholars, and the said Mayor, Bailiffs, and Commonalty, shall be deemed in Law to be in the actual Possession thereof, and to be seised thereof in Fee-simple, freed and discharged from all Claims, Demands, and Equity of Redemption, either at Law or in Equity, to all Intents and Purposes, as fully and effectually as if all and every Person and Persons, having any Estate, Right, Title, Trust, Interest, or Equity of Redemption, of, in, to, from, or out of the said Premises, had actually conveyed the same by Lease and Release, Bargain and Sale inrolled, Feoffment, with Livery of Seisin, Fine and Recovery, or any other Conveyance whatsoever; and such Payment shall not only bar all Right, Title, Interest, Equity of Redemption, Claim and Demand of the Person or Persons, to whose Use such Payment was made, but also shall extend to, and be deemed and construed to bar the Dower and Dowers of the Wife or Wives of such Person or Persons, and all Estates, Tail and Remainders, as fully and effectually as a Fine or Recovery would do, or would have done, if levied or suffered by proper Parties in due Form of Law.

And it is hereby further enacted and declared, That all and every Sum and Sums of Money to be paid to any Body Corporate or Collegiate, Corporation Aggregate or Sole, Feoffee or Feoffees in Trust, Guardian, Committee, or other Trustee or Trustees, in pursuance of this Act, shall be by them respectively laid out in the Purchase of Lands, Tenements, and Hereditaments, and settled to and upon, and subject to such Titles, Uses, Trusts, Limitations, Remainders, and Contingencies, as the said Lands and Premises so to be purchased by the said Chancellor, Masters, and Scholars, and the said Mayor, Bailiffs, and Commonalty as aforesaid, were settled, limited, and assured at the Time of such Sale so made respectively, and shall and may be held and enjoyed accordingly.

And be it further enacted, That from and immediately after Payment made for the Lands and Hereditaments so

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XC.
Purchase-
Money of
Trust-
estates to
be laid out
again.

XCI.
After Pay-
ment, the

A. D.
1770-1.
Committee
impowered
to convert
the Pre-
mises into
a Market.

XCII.
If Part of
a House,
&c. want-
ed, for
any of the
Purposes
of this
Act, the
Owner may
oblige the
Commis-
sioners,
&c. to pur-
chase the
Whole.

to be purchased as aforesaid, it shall and may be lawful for the said Committee to enter upon the Premises so to be purchased, and every Part thereof, and to convert the same to be used as a Market as aforesaid.

Provided always, and be it enacted by the Authority aforesaid, That if any Person or Persons, Body or Bodies Politick, Corporate or Collegiate, shall be applied to, by or on Behalf of the said Commissioners, or the said Chancellor, Masters, and Scholars, and the said Mayor, Bailiffs, and Commonalty, to treat for, sell, dispose of, or convey, for any of the Purposes aforesaid, any Part or Parts of any House, Warehouse, Yard, or Ground, in the actual Occupation of One Tenant, or of several Tenants, and the Person or Persons, Body or Bodies Politick, Corporate or Collegiate, so applied to, shall, by Notice in Writing to be left at the Office of the respective Clerks, within Fourteen Days next after such Application, signify his, her, or their Inclination or Desire to treat for, sell, dispose of, and convey the Whole of such House, Warehouse, Yard, or Ground ; then, and in every such Case, the Whole of every such House, Warehouse, Yard, or Ground, shall be deemed, taken, and held to be necessary to be purchased for effecting the Purposes of this Act: And if it shall happen that the said Commissioners, or the said Chancellor, Masters, and Scholars, and the said Mayor, Bailiffs, and Commonalty, or their Committees, shall not think proper or be willing to purchase the Whole of such House, Warehouse, Yard, or Ground ; then, and in every such Case, nothing in this Act contained shall extend, or be construed to extend, to compel the Owner or Owners, Occupier or Occupiers thereof, to treat for, sell, dispose of, or convey any Part of such House, Warehouse, Yard, or Ground ; any Thing herein before contained to the Contrary thereof in any-wise notwithstanding.

XCIII.
Commis-
sioners
may sell
overplus
Lands, &c.

Provided also, and be it further enacted by the Authority aforesaid, That it shall and may be lawful, to and for the said Commissioners, or any Nine or more of them, at any Meeting, or the said Chancellor, Masters, and Scholars, and the said Mayor, Bailiffs, and Commonalty, or any Person

or Persons, in whom any House or Ground shall be vested by virtue of this Act, to let, sell, or dispose of, so much or such Parts thereof, as shall not be necessary for the Opening or Widening of any of the said Streets, Lanes, Ways, Passages, or Places, or for and towards the erecting, establishing, and holding such New Market as aforesaid, to any Person or Persons, to and for such Use or Uses as they shall think proper, giving Preference to the Person or Persons of whom the same shall have been purchased, and to his, her, or their Heirs, Executors, and Administrators.

And, for raising a Sum of Money sufficient for the Payment of the Purchase of such Lands and Hereditaments, and other the Purposes of this Act, be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Committee, or any Seven or more of them, and they are hereby authorised and impowered to raise, borrow, take, and receive of and from any Person or Persons whomsoever, or any Body or Bodies Corporate or Politick whatsoever, who are willing to lend and advance the same, any Sum or Sums of Money, not exceeding in the Whole the Sum of Five thousand Pounds, for the Payment of such Purchase-money, and for such other Purposes as are herein before and herein after mentioned, and to set up and build all such Sheds, Stalls, and such other Erections, as shall be found necessary for constituting the said Market; or, if it shall be found to be more convenient and beneficial to let out such Grounds upon a Building Lease or Leases for the Purposes aforesaid, it shall and may be lawful for the said University or City, and they are hereby authorised and impowered to set and let out such Ground for the best Rent that can be gotten for the same, payable Quarterly, at or upon the Four most usual Feasts or Days of Payment in the Year, upon a Lease or Leases, for any Term or Terms not exceeding Sixty-one Years, to any Person or Persons who shall be willing to contract for and take the same, with proper Covenants binding him or them to build and set up all necessary Erections thereupon, for converting the same into a Market

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XCIV.
Powers of
raising
Money,

by bor-
rowing not
exceeding
5000*l*.

or by
granting
Building
Leases,

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or by
granting
Annuities.

as aforesaid ; or, it shall and may be lawful to and for any Person or Persons to contribute, advance, and pay into the Hands of the said Committee, or any Seven or more of them, or such Person or Persons as they shall appoint, for the Uses before mentioned, any Sum or Sums of Money, not exceeding in the Whole the Sum of Five thousand Pounds, for the absolute Purchase of One or more Annuity or Annuities, to be paid and payable during the full Term of the natural Life of such Contributors respectively, or the natural Life of such other Persons as shall be nominated, by and on the Behalf of such respective Contributors, at the Time of Payment of their respective Contribution-monies ; which Annuity or Annuities shall not exceed the Rate of Eight Pounds *per Centum per Annum* for every One hundred Pounds, and so in Proportion for any greater or less Sum to be advanced and paid as aforesaid ; which Annuities shall be payable and paid in such Place in the said University or City, as the said Committee, or any Seven or more of them, shall for that Purpose appoint, by Four equal Quarterly Payments, the first Payment to begin and be made to the respective Purchasers and their Assigns at the Expiration of the First Quarter of a Year after Payment of their respective Purchase-monies ; which Annuities shall be publickly sold by the said Committee, or any Seven or more of them.

[Sections 95-97 contain provisions with regard to the annuities.]

XCVIII.
Annuities
payable
out of the
Rents
of the
Market.

And be it further enacted, by the Authority aforesaid, That all and every the Annuities, so to be purchased under and by virtue of this Act, shall be, and are hereby charged upon, and shall be paid and payable, from Time to Time, upon all Monies arising by the Rents and Profits of the Sheds, Stalls, Stands, and all other Buildings and Erections to be set up in and upon the said Plot or Piece of Ground to be set out and appointed for the Scite of the said Market ; and if the same shall prove deficient to pay the Annuities charged thereupon as aforesaid, then, and in such Case, the said Deficiency shall, from Time to Time,

be equally paid and supplied by the said Chancellor, Masters and Scholars, and the said Mayor, Bailiffs, and Commonalty.

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1770-1.

And be it further enacted by the Authority aforesaid, That the Houses, Buildings, and Ground, to be purchased by virtue and under the Authority of this Act, for the Scite of the said Market as aforesaid, and all Sheds, Stalls, Standings, and other Erections to be built or set there-upon, and the Rents and Profits arising from the same, shall be, and are hereby vested in the said Chancellor, Masters, and Scholars, and the said Mayor, Bailiffs, and Commonalty, and their Successors, for ever; and that they should stand seised thereof, in Trust, for the several Uses, Intents, and Purposes, herein after mentioned and declared, of and concerning the same; (that is to say,) The said Chancellor, Masters, and Scholars, and the said Mayor, Bailiffs, and Commonalty, or the said Committee, or any Seven or more of them, shall, out of the First Monies to be borrowed or arising by granting of Leases, or the Sale of Annuities as aforesaid, or by any other Ways and Means under the Authority of this Act, pay off and discharge all Debts that shall be incurred by the Purchases of the said Plot or Piece of Ground, and the Houses and Buildings thereon, for the Erection of the said Market, and all such Charges and Expences as shall necessarily attend the erecting and constituting the same; and the Rents and Profits arising thereby shall be applied in paying the Annuity or Annuities to be granted to such Purchaser or Purchasers as aforesaid, so long as any of them shall live; and all such Savings as shall, from Time to Time, be made by the Death of any such Annuitants, shall, after the Discharge of all Debts accrued on account of the said Market, be vested in the said Chancellor, Masters, and Scholars, and the Mayor, Bailiffs, and Commonalty, equally, and the Savings, together with the Rents and Profits of the said Markets, after the Death of all such Annuitants, shall be and remain an Estate for the Use and Benefit of the said Chancellor, Masters, and Scholars, and the said Mayor, Bailiffs, and

XCIX.
Market
vested in
the Uni-
versity
and City
in Trust
to pay all
Debts in-
curred on
account
thereof,
and after-
wards
equally
between
them.

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Commonalty, and their Successors for ever, equally, Share and Share alike.

[Sections 100-105 provide for exemption from stamp duty of various documents used in executing the Act, recovery of penalties, irregular distress, irregular proceedings, appeals to Quarter Sessions by persons aggrieved, and limitation of actions.]

CVI.
Saving
Clause.

Provided also, and it is hereby further enacted, That nothing in this Act shall extend, or be deemed or construed to extend, to take away, diminish, or impede the Exercise of any Privilege or Right whatsoever of the said University, or of any of the Magistrates, Officers, Ministers, or Servants thereunto belonging, or of any Privilege or Right whatsoever of the said City, or of any of the Magistrates, Officers, or Servants thereunto belonging.

[Section 107 declares the Act to be a public Act.]

The First SCHEDULE to which this Act refers, containing an Account of the Ways and Streets to be paved, widened, and repaired, exclusive of the *Mile-ways*.

THE Street or Way leading from *Magdalen Bridge* to *East Gate*, called *Bridge Street*.

The Street or Way called the *High Street*, leading from thence to *Carfax*.

The Street or Way leading from *Carfax* to the new Turnpike Road to *Witney*, called the *Butcher Row*.

The Street or Way leading from the *High Street* near *All Souls College* to *Broad Street*.

The Street or Way called *Broad Street*, and the Street or Way leading from thence to the North Side or End of *Baliol College*.

The several Streets or Ways leading from the Roads on both Sides of *Saint Giles's Church* to *Folly Bridge*, and which are commonly called *Saint Giles's*, the *Corn Market*, *Fish Street*, and *Saint Toll's*; or by whatsoever other Name or Names the said Streets or Ways, or any or either of them, is or are called or known.

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The Second SCHEDULE to which this Act refers.

IN order to make good and convenient Roads of sufficient Width to the East End of *Magdalen Bridge*, to purchase such Houses, Buildings, Land, or Ground, near or adjoining to the *Mile-ways* there, as shall be necessary for that Purpose.

In order to rebuild and widen *Magdalen Bridge*.

To take down a Malt-house, or other Buildings, and the several Houses built upon or situate on the South and North Sides of the said Bridge, and such other Buildings as shall be necessary for rebuilding the said Bridge, and widening the Avenues leading thereto, and to purchase such Ground as shall be necessary for carrying off the Water from the said Bridge.

In order to open the *Bridge Street*, from the West End of *Magdalen Bridge* to the East End of the *High Street*.

To take down the House and other Buildings in the *Physick Garden*, and such other Houses, Buildings, and Walls, near *Magdalen College*, as shall be necessary for that Purpose.

To take down the *East Gate*, and such Houses and Buildings near or adjoining to it, on the South and North Sides of the said Street, and to purchase such Ground as shall be necessary to render the Street of an equal Width with the *High Street*.

In order to open the Street near *Carfax*,

To take down *Carfax Conduit*.

In order to open *Butcher Row Street*,

To take down such of the Houses and Buildings near to *Carfax Church*, on the North and South Sides, and also the Shambles in the Middle of the said Street, and purchase such Ground as shall be necessary for widening the said Street.

In order to open the Street at the North End of the *Corn Market*,

To take down the *North Gate*, and so much of the Prison called *Bocardo*, and such Houses and other Buildings on both Sides of the said Street, near *Saint Michael's Church*,

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and purchase such Ground as shall be necessary to widen the said Street.

In order to widen the Street from *North Gate* to *Saint Giles's*,

To take down the Houses and other Buildings, standing in the Middle of the Street on the North and South Sides of *Saint Mary Magdalen Church*, together with the Pound near the said Church.

In order to widen the Street at the End of *Broad Street*,

To take down the Wall on the South Side of *Baliol College*, and take in such Part of the Garden as shall be necessary.

11^o GEO. III. CAP. XLV.

An Act for improving and completing the Navigation of the Rivers *Thames* and *Isis* from the City of *London* to the Town of *Cricklade*, in the County of Wilts.¹

[The Preamble recites that 'the carrying on and regulating the Navigation of the Rivers *Thames* and *Isis* from the City of *London* to the Town of *Cricklade*, in the County of *Wilts*', was by 24 Geo. 2. c. 8 (*supra*) vested in certain Commissioners 'who, for Want of proper Powers, have not been able to prevent frequent Abuses and Exactions being committed by the Owners of several Towing-paths and other Passages on the Banks of the said Rivers, and by the Owners of Locks, Weirs, Turnpikes, Dams, Flood-gates, and other Engines, in and upon or near adjoining to the said Rivers, and also by several Barge-masters and their Servants navigating thereon; by reason whereof the Price of Water-carriage on those Rivers

¹ This Act was repealed so far as it applied to the navigation of the Thames between the City of London and the City Stone above Staines Bridge by 14 Geo. 3. c. 91. The constitution of the Commissioners was altered by 35 Geo. 3. c. 106 (*infra*), and their powers were transferred to the Conservators of the Thames by 29 & 30 Vict. c. 89 (*infra*). The Act was wholly repealed by the Thames Conservancy Act, 1894 (57 & 58 Vict. c. clxxxvii).

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is very much raised, and the Navigation of the said Rivers greatly damaged, contrary to the Intent and Meaning of the said Act': and that the expense of making proper turnpikes, cleansing and imbanking parts of the rivers, purchasing land for towing-paths, building bridges across streams that empty themselves into the rivers, and for other purposes, in order to complete the navigation will amount to a considerable sum of money which cannot be raised without the authority of Parliament.

Section 1 then constitutes 'all Members of the House of Commons for the Time being, that do or shall reside within the Counties of *Wilts, Gloucester, Oxford, Berks, Bucks, Surry, and Middlesex*, the Representatives in Parliament of the said Counties for the Time being, the Representatives in Parliament of the City of *London*, and of all Towns within the said Counties for the Time being, the Lord Mayor and Aldermen of the City of *London* for the Time being, the High Bailiff of *Westminster* for the Time being, the Vice Chancellor and Heads of Colleges or Halls in the University of *Oxford* for the Time being, the Dean and Canons of *Christ Church* for the Time being, the Dean and Prebendaries of *Westminster* for the Time being, the Dean and Residentaries of *St. Paul's, London*, for the Time being, the Dean and Canons of *Windsor* for the Time being, the Provost and Fellows of *Eton College* for the Time being, the Rectors and Incumbents for the Time being of the several Parishes that border upon the *Thames*, the Mayors and Recorders of *Oxford, Abingdon, Wallingford, Reading, Henley, Maidenhead, and Windsor*, and the Bailiffs and Recorder of *Kingston upon Thames* for the Time being, the Trustees or Commissioners of the River *Wey*, the Proprietors of the said River, the Mayor, Aldermen, and Recorder of *Guildford*, the Bailiffs of the Town of *Godalming*, and all Persons who do or shall at any Time reside, or have an Estate

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of One hundred Pounds *per Annum* within the respective Counties of *Middlesex, Surry, Berks, Bucks, Oxford, Gloucester, and Wilts,* Commissioners for putting in execution the powers of the Act.

Section 2 disables any person except the Mayor and Aldermen of Guildford and Bailiffs of Godalming from acting as Commissioner unless he is seised in his own right or that of his wife of lands tenements or hereditaments of the clear yearly value of £100, is heir apparent to some person having such estate of the yearly value of £200, or is possessed of personal estate to the amount of £3000. Section 3 imposes a penalty of £200 on any one acting without being so qualified.

The Act confers on the Commissioners powers for regulating the navigation similar to but more extensive than those conferred by 24 Geo. 2. c. 8 (*supra*) on the Commissioners thereby constituted.

Section 16 divides the navigation into six districts of which one extends from Shillingford to Oxford and one from Oxford to Cricklade.

Section 17 provides for district meetings to be held by the Commissioners residing in the respective districts.

Section 50 contains a saving in like terms to s. 22 of 24 Geo. 2. c. 8 (*supra*) for the 'Rights, Jurisdiction, Power, or Authority of the Mayor, Commonalty, and Citizens of the City of *London*, or any other Body Politick or Corporate, or other Person or Persons whatsoever'.

Section 55 declares the Act to be a public Act.]

12^o GEO. III. CAP. LXVII.

A. D. 1772. An Act for Incorporating the Members of a Society, commonly called *The Marine Society*, and their Successors, to be elected as therein is mentioned,

and for the better impowering and enabling them A. D. 1772.
to carry on their charitable and useful Designs.

[The Act incorporates the Marine Society formed to fit out and apprentice boys for sea service.

Section 15 authorizes the apprentices after serving their apprenticeship to exercise trades in any town or place in Great Britain or Ireland.¹

Section 16 is a repetition, *verbatim* except for the insertion of the words, 'or either of them' after 'Universities' in line 5, of 22 Geo. 2. c. 44. s. 2 (*supra*) saving the privileges of the Universities as to granting wine licences.

Section 20 declares the Act to be a public Act.]

12^o GEO. III. CAP. XC.

An Act for Repairing and Widening the Road from the West End of *Saint Ives Lane*, in the Town of *Saint Neots*, in the County of *Huntingdon*, to the Pavement at the End of *Bell Lane*, in the Town of *Cambridge*.

[Section 1 appoints 'the Vice Chancellor and Heads of the several Colleges and Halls in the University of *Cambridge* for the Time being, the Mayor, Recorder, Deputy Recorder, and Aldermen of the Town of *Cambridge* for the Time being' with other named persons trustees to execute the Act.

Section 4 imposes a property qualification on the trustees.

Section 47 provides that the Act shall commence from the day of its passing and continue for twenty-one years and from thence to the end of the next Session of Parliament.²

Section 50 declares the Act to be a public Act.]

¹ This privilege was superseded by the Municipal Corporations Act, 1835 (5 & 6 Will. 4. c. 76) s. 14 (*infra*). See note to 22 Geo. 2. c. 44 (*supra*).

² The Act was passed on the 16th of April, 1772. It was continued by 33 Geo. 3. c. 151. s. 1, and 54 Geo. 3. c. iv respectively for twenty-one years from the expiration of the original and extended terms and from thence to the end of the

13^o GEO. III. CAP. LXII.A. D.
1772-3.

An Act for better regulating the Assize and making of Bread.¹

[Section 17 is a repetition with immaterial verbal variations of 31 Geo. 2. c. 29. s. 44 (*supra*) saving the jurisdiction of the Universities or their Clerks of the Market with regard to the assize and weight of bread.]

15^o GEO. III. CAP. LIII.A. D.
1774-5.

An Act for enabling the Two Universities in *England*, the Four Universities in *Scotland*, and the several Colleges of *Eton*, *Westminster*, and *Winchester*, to hold in Perpetuity their Copy Right in Books, given or bequeathed to the said Universities and Colleges for the Advancement of useful Learning and other purposes of Education; and for amending so much of an Act of the Eighth Year of the Reign of *Queen Anne*, as relates to the Delivery of Books to the Warehouse Keeper of the Stationers Company, for the Use of the several Libraries therein mentioned.

Preamble.

WHEREAS Authors have heretofore bequeathed or given, and may hereafter bequeath or give, the Copies of Books composed by them, to or in Trust for One of the Two Universities in that Part of *Great Britain* called *England*, or to or in Trust for some of the Colleges or Houses of Learning within the same, or to or in trust for the Four Universities in *Scotland*, or to or in Trust for the several Colleges of *Eaton*, *Westminster*, and *Winchester*,

then next Session of Parliament. The Turnpike trust was further continued by Annual Turnpike Acts Continuance Acts till the 31st of December, 1876, the date fixed by 37 & 38 Vict. c. 95 for its expiration.

¹ This Act was repealed by 6 & 7 Will. 4. c. 37. s. 1 (*infra*).

and in and by their several Wills or other Instruments of Donation, have directed or may direct, that the Profits arising from the printing and reprinting such Books shall be applied or appropriated as a Fund for the Advancement of Learning, and other beneficial Purposes of Education within the said Universities and Colleges aforesaid: And whereas such useful Purposes will frequently be frustrated, unless the sole printing and reprinting of such Books, the Copies of which have been or shall be so bequeathed or given as aforesaid, be preserved and secured to the said Universities, Colleges, and Houses of Learning respectively in Perpetuity; may it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said Universities and Colleges respectively shall, at their respective Presses, have, for ever, the sole Liberty of printing and reprinting all such Books as shall at any Time heretofore have been, or (having not been heretofore published or assigned) shall at any Time hereafter be bequeathed, or otherwise given by the Author or Authors of the same respectively, or the Representatives of such Author or Authors, to or in Trust for the said Universities, or to or in Trust for any College or House of Learning within the same, or to or in Trust for the said Four Universities in *Scotland*, or to or in Trust for the said Colleges of *Eaton*, *Westminster*, and *Winchester*, or any of them, for the Purposes aforesaid, unless the same shall have been bequeathed or given, or shall hereafter be bequeathed or given, for any Term of Years, or other limited Term; any Law or Usage to the contrary hereof in any-wise notwithstanding.

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1774-5.

Universities, &c. in *England* and *Scotland* to have, for ever, the sole Right of printing, &c. such Books as have been, or shall be, bequeathed to them,

unless the same have been, or shall be, given for a limited Time.

And it is hereby further enacted, That if any Bookseller, Printer, or other Person whatsoever, from and after the Twenty-fourth day of *June*, One thousand seven hundred and seventy-five, shall print, reprint, or import, or cause to be printed, reprinted, or imported, any such Book or Books;

II.
After *June* 24, 1775, Persons printing or selling such Books shall forfeit

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the same,
and also
1d. for
every
Sheet;

One Moiety
to His
Majesty,
and the
other to
the Pro-
secutor.

or, knowing the same to be so printed or reprinted, shall sell, publish, or expose to Sale, or cause to be sold, published, or exposed to Sale, any such Book or Books; then such Offender or Offenders shall forfeit such Book or Books, and all and every Sheet or Sheets, being Part of such Book or Books, to the University, College, or House of Learning respectively, to whom the Copy of such Book or Books shall have been bequeathed or given as aforesaid, who shall forthwith damask and make waste Paper of them; and further, that every such Offender or Offenders shall forfeit One Penny for every Sheet which shall be found in his, her, or their Custody, either printed or printing, published or exposed to Sale, contrary to the true Intent and Meaning of this Act; the One Moiety thereof to the King's most Excellent Majesty, his Heirs and Successors, and the other Moiety thereof to any Person or Persons who shall sue for the same; to be recovered in any of His Majesty's Courts of Record at *Westminster*, or in the Court of Session in *Scotland*, by Action of Debt, Bill, Plaint, or Information, in which no Wager of Law, Essoin, Privilege, or Protection, or more than One Impar lance, shall be allowed.

III.
Nothing
in this Act
to extend
to grant
any ex-
clusive
Right
longer
than such
Books are
printed at
the Presses
of the Uni-
versities.

Universi-
ties may
sell Copy
Rights
in like
Manner as
any Au-
thor.

Provided nevertheless, That nothing in this Act shall extend to grant any exclusive Right otherwise than so long as the Books or Copies belonging to the said Universities or Colleges are printed only at their own Printing Presses within the said Universities or Colleges respectively, and for their sole Benefit and Advantage; and that if any University or College shall delegate, grant, lease, or sell their Copy Rights, or exclusive Rights of printing the Books hereby granted, or any Part thereof, or shall allow, permit, or authorise any Person or Persons, or Bodies Corporate, to print or reprint the same, that then the Privileges hereby granted are to become void and of no Effect, in the same Manner as if this Act had not been made; but the said Universities and Colleges, as aforesaid, shall nevertheless have a Right to sell such Copies so bequeathed or given as aforesaid, in like Manner as any Author or Authors now

may do under the Provisions of the Statute of the Eighth Year of Her Majesty Queen *Anne*.

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And whereas many Persons may through Ignorance offend against this Act, unless some Provision be made whereby the Property of every such Book as is intended by this Act to be secured to the said Universities, Colleges, and Houses of Learning within the same, and to the said Universities in *Scotland*, and to the respective Colleges of *Eaton*, *Westminster*, and *Winchester*, may be ascertained and known, be it therefore enacted by the Authority aforesaid, That nothing in this Act contained shall be construed to extend to subject any Bookseller, Printer, or other Person whatsoever to the Forfeitures or Penalties herein mentioned, for or by reason of the printing or reprinting, importing or exposing to Sale, any Book or Books, unless the Title to the Copy of such Book or Books, which has or have been already bequeathed or given to any of the said Universities or Colleges aforesaid, be entered in the Register Book of the Company of Stationers kept for that Purpose, in such Manner as hath been usual, on or before the Twenty-fourth day of *June* One thousand seven hundred and seventy-five; and of all and every such Book or Books as may or shall hereafter be bequeathed or given as aforesaid, be entered in such Register within the Space of Two Months after any such Bequest or Gift shall have come to the Knowledge of the Vice Chancellors of the said Universities, or Heads of Houses and Colleges of Learning, or of the Principal of any of the said Four Universities respectively; for every of which Entries so to be made as aforesaid, the Sum of Sixpence shall be paid, and no more; which said Register Book shall and may, at all seasonable and convenient Times, be referred to and inspected by any Bookseller, Printer, or other Person, without any Fee or Reward; and the Clerk of the said Company of Stationers shall, when and as often as thereunto required, give a Certificate under his Hand of such Entry or Entries, and for every such Certificate may take a Fee not exceeding Sixpence.

IV.
No Person subject to Penalties for printing, &c. Books already bequeathed, unless they be entered before *June* 24, 1775.

All Books that may hereafter be bequeathed, must be entered within Two Months after such Bequest shall be known. 6*d.* to be paid for each Entry in the Register Book, which may be inspected without Fee. Clerk to give a Certificate being paid 6*d.*

And be it further enacted, That if the Clerk of the said

V.

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1774-5.
If Clerk
refuse or
neglect to
make En-
try, &c.
Proprietor
of such
Copy
Right to
have like
Benefit
as if such
Entry had
been made,
and the
Clerk shall
forfeit 20*l*.

Company of Stationers for the Time being shall refuse or neglect to register or make such Entry or Entries, or to give such Certificate, being thereunto required by the Agent of either of the said Universities or Colleges aforesaid, lawfully authorised for that Purpose, thene ither of the said Universities or Colleges aforesaid, being the Proprietor of such Copy Right or Copy Rights as aforesaid, (Notice being first given of such Refusal by an Advertisement in the *Gazette*), shall have the like Benefit as if such Entry or Entries, Certificate or Certificates, had been duly made and given; and the Clerk so refusing shall, for every such Offence, forfeit Twenty Pounds to the Proprietor or Proprietors of every such Copy Right; to be recovered in any of His Majesty's Courts of Record at *Westminster*, or in the Court of Session in *Scotland*, by Action of Debt, Bill, Plaint, or Information, in which no Wager of Law, Essoin, Privilege, Protection, or more than One Impar lance, shall be allowed.

VI.
Clause in
Act 8
Anne
recited.

And whereas in and by an Act of Parliament, made in the Eighth Year of the Reign of Her late Majesty Queen *Anne*, intituled, *An Act for the Encouragement of Learning, by vesting the Copies of printed Books in the Authors or Purchasers of such Copies during the Times therein mentioned*,¹ it is enacted, That Nine Copies of each Book or Books, upon the best Paper, that, from and after the Tenth Day of *April*, One thousand seven hundred and ten, should be printed and published, as therein mentioned, or reprinted and published with Additions, shall, by the Printer and Printers thereof, be delivered to the Warehouse Keeper of the said Company of Stationers for the Time being, at the Hall of the said Company, before such Publication made, for the Use of the Royal Library, the Libraries of the Universities of *Oxford* and *Cambridge*, the Libraries of the Four Universities in *Scotland*, the Library of *Sion College* in *London*, and the Library commonly called *The Library belonging to the Faculty of Advocates* in *Edinburgh*, respectively; which said Warehouse Keeper was thereby required,

¹ 8 Ann. c. 21 [c. 19., Ruff.] (*supra*).

within Ten Days after Demand by the Keepers of the respective Libraries, or any Person or Persons by them, or any of them, authorised to demand the said Copy, to deliver the same for the Use of the aforesaid Libraries; and if any Proprietor, Bookseller, or Printer, or the said Warehouse Keeper of the said Company of Stationers, should not observe the Direction of the said Act therein, that then he and they so making Default, in not delivering the said printed Copies as aforesaid, should forfeit as therein mentioned: And whereas the said Provision has not proved effectual, but the same hath been eluded by the Entry only of the Title to a single Volume, or of some Part of such Book or Books so printed and published, or reprinted and republished, as aforesaid; be it enacted by the Authority aforesaid, That no Person or Persons whatsoever shall be subject to the Penalties in the said Act mentioned, for or by Reason of the printing or reprinting, importing or exposing to Sale, any Book or Books, without the Consent mentioned in the said Act, unless the Title to the Copy of the whole of such Book, and every Volume thereof, be entered, in Manner directed by the said Act, in the Register Book of the Company of Stationers, and unless Nine such Copies of the whole of such Book or Books, and every Volume thereof printed and published, or reprinted or republished, as therein mentioned, shall be actually delivered to the Warehouse Keeper of the said Company, as therein directed, for the several Uses of the several Libraries in the said Act mentioned.¹

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1774-5.

No Person subject to Penalties in the said Act for printing, &c. any Book unless the Title to the Copy of the Whole be entered, &c.

And be it further enacted by the Authority aforesaid, That if any Action or Suit shall be commenced or brought against any Person or Persons whatsoever, for doing, or causing to be done, any Thing in pursuance of this Act, the Defendants in such Action may plead the General Issue, and give the Special Matter in Evidence; and if upon such Action a Verdict, or, if the same shall be brought in the

VII.
Limitation of Actions.

General Issue.

¹ Section 6 was impliedly repealed by 5 & 6 Vict. c. 45. s. 24 (*infra*), and with so much of s. 7 as relates to plea of General Issue, has been formally repealed by the Statute Law Revision Act, 1861.

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1774-5.

Court of Session in *Scotland*, a Judgement, be given for the Defendant, or the Plaintiff become nonsuited, and discontinue his Action, then the Defendant shall have and recover his full Costs, for which he shall have the same Remedy as a Defendant in any Case by Law hath.

VIII.
Publick
Act.

And be it further enacted by the Authority aforesaid, That this Act shall be adjudged, deemed, and taken to be a Publick Act; and shall be judicially taken Notice of as such, by all Judges, Justices, and other Persons whatsoever, without specially pleading the same.

15^o GEO. III. *Cap. 94.*¹

An Act for explaining, amending, and enlarging, the Powers granted by an Act, passed in the eighteenth Year of His late Majesty King GEORGE the Second, intituled, *An Act for Sale of certain Leasehold Estates, late of Sarah Eaton deceased, and by her devised to the Provost, Fellows, and Scholars, of Worcester College, in the University of Oxford, and for laying out the Money arising thereby in the Purchase of Fee Simple Estates; and for other Purposes therein mentioned*; and for indemnifying the acting Trustee or Trustees, appointed under the said Act, for having expended a larger Sum of Money than allowed by that Act; and for other Purposes therein mentioned.

[This Act recites 18 Geo. 2. c. 19 (*supra*) and repeats the recitals contained therein. It further recites that till the year 1773 the rents of the freehold estates at Piddington and Rode, and the interest of the surplus personal estate of the testatrix was accumulating, and with the money so accumulated, the surplus personal estate, and the proceeds of sale of the leaseholds, estates in fee simple at Lyford, Berks, worth £400 a year had

¹ This Act is not printed. The original Act, preserved at the House of Lords, is No. 94.

been bought, but not yet conveyed to the College, such income being subject to deduction of £107 5s. 0d. as the annual value of the leaseholds sold and of £50 payable as compensation to the Provost and Fellows of Sir T. Cooke's foundation; that in 1773 the fellows and scholars of Sarah Eaton's foundation were elected and admitted, but that the income from the estates at Piddington and Rode, and the sum of £107 5s. 0d., were insufficient after allowing for taxes, repairs, and incidental charges to provide the annual sums or stipends appointed to be paid to them; that the trustees had also invested a large sum out of the accumulations in the public funds; that the sum allotted by 18 Geo. 2. c. 19 for providing chambers was insufficient; that the funds being sufficient with the income of the Lyford estate, the fellows of all three foundations were agreed that £5 a year should be added to the stipends of the Sarah Eaton fellows making them like those of the other fellows £45 a year, and that the balance of the income should be divided between the Provost and all the Fellows.

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 1774-5.

The Act then charges the Lyford estates with the payment of £107 5s. 0d. a year to be applied according to Sarah Eaton's will, and of £50 a year to be paid as follows:—£5 each to the Vice-provost, Bursar, and Dean, £10 to the chaplain, and the residue as the Provost and Fellows of the three foundations should direct. It further provides that the rents of the Lyford estates after the above deductions and of such other estates as should be purchased should be applied in paying the yearly sums appointed by Sarah Eaton's will and by this Act to the Fellows and Scholars of her foundation, and after such payments in paying £5 additional to each of the Fellows on her foundation, and the surplus to be divided between the Provost and the fellows on the three foundations in equal shares, save that the Provost is to have a double share.

A. D.
1774-5.

The Lyford estates are directed to be conveyed to the College. The trustees are authorized to expend £8600 (inclusive of the amount already expended) in rebuilding the Provost's Lodgings and buying a site for and building chambers for the Sarah Eaton fellows and scholars, which are to be deemed part of the College. The residue of the funds held by the trustees is directed to be within one year after the completion of the buildings laid out in the purchase of lands to be conveyed to the College, which is to apply the rents in manner before declared.

The Act provides for the election of fellows and scholars of the Sarah Eaton foundation, the former by the Provost and Fellows of that and Sir T. Cooke's foundations, and the latter by the Provost and five senior fellows of that and Sir T. Cooke's foundations, or the greater part of them present at such election, the Provost in each case having a casting vote ; and for the election of fellows and scholars on George Clarke's foundation by the Provost and six senior fellows of that and Sir T. Cooke's foundations present at such election, or any four of them.¹

¹ The Ordinance of the 19th of March, 1857, made for the College by the Oxford University Commissioners (1) suppressed certain fellowships, including one of Sarah Eaton's Foundation (s. 5); (2) vested the election to all fellowships in the Provost and such fellows present at the time of election as should have been admitted to the degree of Master of Arts or to any superior degree (s. 7); (3) rendered eligible every person who should have passed the examinations required by the University for the degree of Bachelor of Arts, and should not be possessed of benefice, property, pension, or office which, if acquired after election, would have disqualified him from continuing a fellow, but with the restriction in the case of Sarah Eaton fellowships to persons being sons of clergymen of the United Church of England and Ireland, and not possessed of property or income exceeding £150 *per annum* (s. 8); (4) vested the election of scholars of Sarah Eaton's foundation in the Provost and such fellows present at the time of election as should have been admitted to the degree of Master of Arts or to any superior degree, candidates to be qualified according to the statutes in force for the time being and the instrument of foundation (s. 26); (5) directed that if no duly qualified candidate presented himself for fellowship or scholarship the election should be thrown open for that turn (s. 39).

The Statutes of the College approved in 1882, by which all then existing statutes and ordinances were repealed, placed all fellows on the same footing

The Act also, after reciting that 'such of the Roads and Ways near to or leading from the Front and Precincts of the said College into or towards the adjacent Parts of the City and University of Oxford as are not Part of any Turnpike Road are in a very bad State and Condition and unfit and unsafe to be travelled with Carriages or Horses and are in other Respects incommodious to the said College', empowers the College to purchase 'the Whole or so much of a certain Garden or Gardens called Beaumonts and other Lands and Estates adjacent with the Houses Gates and Buildings thereon lying and being between the said College on the West certain Streets in the said City called Saint Giles's and Magdalen Parish Street on the East a certain open Place called Gloucester-Green on the South and a Line to be drawn along the South Side of the Workhouse Wall to Saint Giles's-Street on the North as shall be necessary and sufficient for making a new and commodious Road or Way as well for Horses and Carriages as for Foot Passengers from the said College or the Precincts thereof into or towards the said Street called Saint Giles's for the ease and Accommodation of the Members of the said College and to be repaired by them at their proper Costs and Charges when and in such Manner as they shall think fit'.

A. D.
 1774-5.

Powers are conferred on corporations and persons having limited estates or being under disability to sell land for the purposes of the improvement.]

17° GEO. III. CAP. XXXIX.

An Act for granting to His Majesty a Duty upon all Servants retained or employed in the several

A. D.
 1776-7.

as regards qualifications and otherwise (Stat. III). They provide (Stat. IV. 1, 6) that there shall be four scholarships of Sarah Eaton's Foundation, candidates for which are to be sons of clergymen of the Church of England or of some Church in communion therewith, who require assistance to support them at the University. If there be no duly qualified candidate for a scholarship it may be thrown open, and either reserved for another year or not as the Provost and Fellows think fit.

A. D.
1776-7.

Capacities therein mentioned; and for repealing several Rates and Duties upon Glass, imposed by an Act made in the Nineteenth Year of the Reign of His late Majesty, and for granting to His Majesty other Rates and Duties upon Glass in lieu thereof, and for the better collecting the Duties upon Glass; and for repealing the several Rates and Duties charged, by an Act made in the Twenty-ninth Year of the Reign of His said late Majesty, upon all Persons and Bodies Politick and Corporate having certain Quantities of Silver Plate.¹

[Section 1 imposes a duty on male servants.]

V.
Butlers,
Cooks, *etc.*
in the Uni-
versities.

Provided also, That this Act, or any Thing herein contained, shall not extend, or be construed to extend, to charge with the Duty hereby granted, the Butler or Butlers, Manciple, Cook or Cooks, Gardener or Gardeners, Porter or Porters, of any College or Hall within either of the Universities of *Oxford* or *Cambridge*, or the Universities of *Edinburgh*, *Glasgow*, *Aberdeen*, or *Saint Andrews* in *Scotland*, or of the several Colleges of *Westminster*, *Eton*, or *Winchester*,

17^o GEO. III. CAP. XLVI.

An Act for raising a certain Sum of Money by way of Annuities, and establishing a Lottery.

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XXXIX.
No Person
shall keep

And be it further enacted by the Authority aforesaid, That no Person or Persons shall set up, exercise, keep, or

¹ The provisions of this Act with regard to the management of the duties on servants were repealed and other provisions made by 21 Geo. 3. c. 31; the duties were repealed and others imposed by 25 Geo. 3. c. 43 (*infra*); and the Act itself so far as it related to the duties on servants was repealed by 43 Geo. 3. c. 161. s. 84 (*infra*).

open, by himself or others, any Office or Place for buying, selling, or otherwise dealing in, any Tickets, or any Interest in any Ticket or Tickets in the said Lottery; or shall, by Writing or Printing, publish the setting up or using any such Office or Place, within the University of *Oxford* and the Precincts thereof, or within the University of *Cambridge* and the Precincts thereof: And all and every such Person and Persons who shall offend in any of the Matters aforesaid, contrary to the true Intent and Meaning of this Act, shall forfeit and pay, for every such Offence, the Sum of Twenty Pounds; One Moiety thereof to the Use of His Majesty, His Heirs and Successors, and the other Moiety to the Informer: And all such Persons shall and may be prosecuted and proceeded against, for the said Forfeitures, in the Courts of the Chancellors or Vice-chancellors of the said Universities respectively, in a summary Way, by summoning the Party accused to appear in the said Courts respectively; and on Appearance, or Contempt of the Party accused by not appearing, being duly summoned, and Oath thereof made, such Courts may examine the Matter, and upon Confession of the Party accused, or on the Oath of One credible Witness, of such Party's having offended against this Act, such Courts respectively shall and may give Sentence against such Party, and issue their Warrant or Warrants for levying the said Forfeitures by Distress and Sale of the Goods of the Party offending, rendering the Overplus (if any) to the Party on whom such Distress shall be made; and for Want of such Distress, shall and may commit such Offender or Offenders to the House of Correction, there to remain, without Bail or Mainprize, for the Space of Six Months; and such Sentence or Sentences shall be, and are hereby declared to be taken and adjudged to be, good, valid, and effectual in the Law; and that no Writ of *Certiorari* or other Process shall issue or be issuable to remove any such Sentence from the said Courts of the said Chancellors or Vice-chancellors respectively, or to remove any Order or other Proceedings made or taken by the said Courts

A. D.

1776-7.

any Office
for the Sale
of Tickets,
&c. in *Ox-*
ford or
Cambridge,

on Penalty
of 20*l*.

Offenders
may be
prosecuted
in the Vice-
chancel-
lor's Court.

Forfeitures
may be
levied by
Distress,
&c.

Proceed-
ings not to
be removed
by *Cer-*
tiorari,
until suffi-
cient

A. D.
1776-7.
Surrey is
given to
prosecute
the same
with
Effect, &c.

respectively, upon, touching, or concerning any such Sentence, into any of His Majesty's Courts of Record at *Westminster*, until the Party or Parties against whom such Sentence shall be given, before the Allowance of such Writ of *Certiorari* or other Process, shall find Two sufficient Sureties, to become bound to the Prosecutor or Prosecutors of such Offenders in the Sum of Two hundred Pounds, with Condition to prosecute the same with Effect within Twelve Months, and to pay unto the Prosecutor or Prosecutors his or their full Costs and Charges of the Removal of such Sentence, and the Proceedings thereon, in case such Sentence shall be affirmed; any Law, Statute, Provision, or Usage to the contrary notwithstanding.¹

17^o GEO. III. CAP. LIII.

An Act to promote the Residence of the Parochial Clergy, by making Provision for the more speedy and effectual building, rebuilding, repairing, or purchasing Houses, and other necessary Buildings and Tenements, for the Use of their Benefices.

[This Act enables every Incumbent, for the purpose of building, rebuilding, or repairing a Residence-House for his Benefice, to borrow, with the consent of the Ordinary and the Patron, money not exceeding two years' net income of his living, and to mortgage the glebe &c. for twenty five years as a security.]

XIII.
Colleges
in Oxford
and Cambridge,
and other
Corporate

And be it further enacted, That it shall and may be lawful for any College or Hall, within the Universities of *Oxford* and *Cambridge*, or for any other Corporate Bodies possessed of the Patronage of Ecclesiastical Livings or Benefices, to advance and lend any Sum or Sums of

¹ This clause was repeated verbatim in the Lottery Acts of the succeeding four years, after which the permanent provisions of 22 Geo. 3. c. 47. s. 5 (*infra*) took effect. (See note to that Act.)

Money, of which they have the Power of disposing, in order to aid and assist the several Purposes of this Act, for the building, rebuilding, repairing, or purchasing, of any Houses or Buildings for the Habitation and Convenience of the Clergy, upon Livings or Benefices under the Patronage of such College or Hall, upon the Mortgage and Security directed by this Act for the Repayment of the Principal, without taking any Interest for the same.¹

A. D.
1776-7.
Bodies
Patrons of
Livings,
may lend
any Sums
without
Interest, to
aid the
Execution
of this Act.

17^o GEO. III. CAP. LXXXVII.

An Act for enlarging the Term and altering the Powers of an Act made in the Twenty-eighth Year of the Reign of his late Majesty, for repairing and widening several Roads therein mentioned, in the Counties of *Warwick* and *Oxford*, so far as relates to the Road *from the Guide-post in the Village of Adderbury, through Kidlington, to the Mileway leading towards the City of Oxford.*

[Section 1 appoints 'the Vice-Chancellor, Heads of Colleges and Halls, and the Two Proctors of the University of *Oxford* for the Time being; and the Mayor, Recorder, Aldermen, Assistants, and Town-clerk of the City of *Oxford* for the Time being'; and three named persons, together with the trustees nominated, appointed in, or elected by 28 Geo. 2. c. 46 (*supra*) and this Act trustees for executing the former Act so far as it related to the road from the guide post in Adderbury to the Mileway, and this Act.

Section 2 extends the term of 28 Geo. 2. c. 46 as varied by this Act, to twenty-one years from its expiration,

¹ For extensions to other purposes of the powers conferred by s. 13 see (*infra*) 55 Geo. 3. c. 147. s. 9, 1 & 2 Vict. c. 23. s. 5, 1 & 2 Vict. c. 106. s. 73, and 28 & 29 Vict. c. 69. s. 3.

A. D.
1776-7.

and from thence to the end of the then next Session of Parliament; and gives a like duration to this Act.¹
Section 9 repeals 28 Geo. 2. c. 46 so far as it relates to the road from Two Mile Tree over Gosford otherwise Gossard-bridge to the gate entering upon Weston on the Green.

Section 12 declares the Act to be a public Act.]

18^o GEO. III. CAP. XXVI.

A. D.
1777-8.

An Act for granting to His Majesty certain Duties upon all inhabited Houses within the Kingdom of *Great Britain*.²

[This Act granted duties on inhabited houses based on annual value to be paid in addition to the window tax.]

XXVI.
Proviso
relating to
Colleges,
&c.

Provided always, That each District,³ Chamber, or Apartment, in any College or Hall in any of the Universities of *Great Britain*, shall be subject to the Duties granted by this Act, as if the same were an entire House.

18^o GEO. III. CAP. XCI.

An Act for repairing and widening the Road from *Stokenchurch*, in the County of *Oxford*, to *Wheatley-bridge*, and from the said Bridge to *Enslow-bridge*, and from *Wheatley-bridge* to the Mileway leading towards *Magdalen-bridge*; and from the Mileway leading from *Saint Giles's*

¹ This Act was repealed from the 1st of June, 1797, by 37 Geo. 3. c. 170. s. 1 (*infra*).

² The duties payable under this Act were repealed, and other duties on inhabited houses, to be collected according to the same rules, were granted by 19 Geo. 3. c. 59. See further 38 Geo. 3. c. 40, 43 Geo. 3. c. 161, and 48 Geo. 3. c. 55, and notes to those Acts (*infra*).

³ *Sic.* The word should be 'distinct' as in other Acts. See 20 Geo. 2. c. 3. s. 32 (*supra*), and 48 Geo. 3. c. 55. Sched. B. (*infra*).

Church, near the City of *Oxford*, by *Begbroke*, to *New Woodstock*, in the said County.

A.D.
1777-8.

[The preamble recites that 5 Geo. 1. c. 1, 13 Geo. 2. c. 15 (*supra*), and 2 Geo. 3. c. 41 (*supra*) 'have been continued to be put in Execution'.

Section 1 extends the term granted by 2 Geo. 3. c. 41 for twenty-one years from the expiration thereof and from thence to the end of the then next Session of Parliament. It then repeals the Powers and Provisions of the recited Acts as from the 22nd of June, 1778, and provides that this Act 'shall take Place and Effect' commencing on the 23rd of June, 1778, and continuing during the further term thereby granted.¹

Section 2 appoints certain persons by name and 'the Vice-chancellor of the University of *Oxford*, and the Mayor and Recorder of the City of *Oxford*, for the Time being' 'Trustees for causing the said Roads to be properly amended, and otherwise putting this Act in Execution'.]

And whereas, by an Act made in the Eighteenth Year of the Reign of Queen *Elizabeth*, for the repairing and amending of the Bridges and Highways near unto the City of *Oxford*,² and by another Act, made in the Thirty-fifth Year of the Reign of the same Queen, for the reviving, Continuance, Explanation, and perfecting of divers Statutes,³ (which said Acts are continued indefinitely by Two other Acts, one made in the Third, and the other made in the Sixteenth Year of the Reign of King *Charles* the First⁴), it is provided and enacted, That every Person having One Yard-land or more in his Possession, lying within Five Miles of the University and City of *Oxford*, or the Franchises of the same, shall for every Yard-land perform such personal Duty as in the said Act is mentioned, or in lieu

XXXV.
Preamble;
reciting
that all
Possessors
of Yard-
lands
within Five
Miles of
Oxford,
are liable
to do
Personal
Duty on
the Roads,
or to com-
pound for
the same.

¹ This Act was continued by 29 Geo. 3. c. 90 for twenty one years from the expiration of its term and from thence to the end of the then next Session of Parliament. Both Acts were repealed by 5 Geo. 4. c. xcix. s. 1 (*infra*).

² 18 Eliz. c. 20 (*supra*).

³ 35 Eliz. c. 7 (*supra*).

⁴ 3 Car. 1. c. 5 [c. 4., Ruff.] and 16 Car. 1. c. 4.

A. D.
1777-8.

thereof shall make certain Annual Payments, specified in the said Acts, unto the Vice-chancellor and Mayor of the same University and City for the Time being, or their Deputy or Deputies, towards the amending of the Bridges and Highways lying and being within One Mile of the said City of *Oxford*, with Remedy by Distress for such Sums as shall be due, and not paid as aforesaid: And whereas Two of the said Mileways adjoin to Roads by this Act to be amended, on the Eastern and Northern Sides of the said City, (*videlicet*) the Mileway leading from the *Dorchester* Mileway, near *Magdalen College*, and the Mileway leading from *Saint Giles's Church*; and the several Sums of Money following had by virtue of the said Acts been usually received and collected, and by the said Act of the Second Year of His present Majesty's Reign were directed to be received and collected annually, for repairing the said Two Mileways, of and from the several Parishes and Townships following; (that is to say) Of *Cassington*, Five Pounds; *Yarnton*, Six Pounds Thirteen Shillings and Four-pence; *Godstow* and *Wolvercote*, Seven Pounds Fifteen Shillings and Eight-pence; *Ellsfield*, Two Pounds Four Shillings and Five-pence; *Wood Eaton*, Two Pounds; *Foresthill*, Two Pounds; *Beckley*, Two Pounds and Ten Shillings; *Marston*, Three Pounds; *Islip*, Three Pounds; and *Wheatley*, Three Pounds: And whereas it will be most convenient that the Receipt and Expenditure of the said Sums continue under the Direction and Management of the Trustees for putting this Act in Execution: Be it therefore enacted, That, from and after the passing of this Act, the Clerk to the said Trustees for the Time being shall be, during the Continuance of this Act, and he is hereby constituted and appointed, the Deputy of the said Vice-chancellor and Mayor for collecting the said annual Sums; and the said Clerk for the Time being shall and may demand and receive the said respective Sums of the Surveyor or Surveyors of the Highways, for the Time being, of each respective Parish and Township; and in Default of Payment thereof shall and may levy the

The Clerk
to the
Trustees
appointed
to receive
the said
Composi-
tions of
the re-
spective
Parish
Surveyors;

same by Distress and Sale of the Goods of such Surveyor or Surveyors, returning the Overplus (if any be) upon Demand, after deducting thereout the Charges of such Distress and Sale; and it shall be lawful for the said Surveyor or Surveyors who shall have paid such Sums, or on whom such Distress shall have been made, to reimburse himself or themselves such Sums so paid or distrained for, by collecting the same of the Persons whose Estates have been usually charged therewith, or by such other Means as according to the Laws in being Surveyors of the Highways are to be reimbursed the Monies by them expended in bringing Materials for amending the Highways; and the said Clerk to the said Trustees shall pay the Sums so received by him to the Treasurer of the said Roads comprized in this Act, to be applied punctually and faithfully to the Repair of the said Mileways, and to no other Purpose whatsoever.

A. D.
1777-8.

and to pay
the same
to the
Treasurer,
to be ap-
plied to
the Repair
of the
Mileways.

[Section 37 is verbatim the same as s. 38 of 2 Geo. 3. c. 41 (*supra*).

Section 45 declares the Act to be a public Act.]

18^o GEO. III. CAP. XCIX.

An Act for enlarging the Term and Powers of an Act, made in the Twenty-ninth Year of the Reign of his late Majesty King *George* the Second, for *amending and keeping in Repair the Roads leading from a Place called Fryer Bacon's Study to Chilton Pond; and from the Top of Hinksey-hill to Foxcombe-hill Gate in the Road leading to Farringdon, in the County of Berks.*

[Section 1 extends the term of 29 Geo. 2. c. 81 (*supra*) for twenty-one years from its expiration and from thence to the end of the then next Session of Parliament.¹

¹ This Act and 29 Geo. 2. c. 81 (*supra*) so far as they related to the Oxford District were continued by 38 Geo. 3. c. 65 for twenty-one years from the passing

A. D.
1777-8.

Section 2 divides the roads comprised in the Turnpike Trust from and after the 25th of March, 1778, into two Districts with separate trustees for each; the Road from Fryer Bacon's Study to 'the *Mayor's Stone* at the end of the Vineyard in the Borough of *Abingdon*', and the Road from the Top of Hinksey Hill to Foxcombe Hill Gate forming one district called '*The Oxford District*', and the Road from the Mayor's Stone to Chilton Pond forming the other district called '*The Abingdon District*'.

Section 3 divests the old trustees of their powers from and after the 25th of March, 1778.

Section 4 appoints trustees for the Oxford District, among whom were included 'the Vice-chancellor of the University of *Oxford* for the Time being, and his Assessor or Deputy for the Time being; the Heads of Colleges and Halls in the University of *Oxford* for the Time being; the Members in Parliament for the University, County, and City of *Oxford*, for the Time being; the Dean and Canons of *Christ-church* in the said University of *Oxford* for the Time being; the Proctors of the said University for the Time being; the several Professors of Divinity, Physick, Law, Hebrew, Astronomy, and Philosophy, for the Time being in the said University; the *Margaret* Professor for the Time being in the said University, and the several other Professors in the said University for the Time being; the Publick Orator and Registrar of the said University for the Time being; the *Bodley*

of that Act (21st of June, 1798) and from thence to the end of the then next Session of Parliament, and their provisions were again continued by 59 Geo. 3. c. lxxxiv (*infra*). See note to that Act.

So far as this Act and 29 Geo 2. c. 81 related to the Abingdon District they were continued by 38 Geo. 3. c. 43. ss. 1, 11, for twenty-one years from the passing of that Act (26th of May, 1798) and from thence to the end of the then next Session of Parliament, and by 59 Geo. 3. c. viii. ss. 1, 34 for a like term from the passing of that Act (23rd of March, 1819), and were repealed, together with 38 Geo. 3. c. 43 and 59 Geo. 3. c. viii, by 4 & 5 Vict. c. cxi, which Act established a new body of trustees not including any *ex officio* representatives of the University.

and *Radcliffe* Librarians in the said University for the Time being ; and the Bursars of the several Colleges and Halls in the said University for the Time being ; the Mayor, Recorder, Aldermen, Assistants, Bailiffs, Town Clerk, and Solicitor, of the City of *Oxford* for the Time being ; the Mayor, Recorder, Bailiffs, Chamberlain, Burgesses, and Town Clerk respectively, of the Borough of *Abingdon* for the Time being ; the Master and Governors of the Hospital of *Christ* in *Abingdon* for the Time being ; the Members in Parliament for the County of *Berks* and Borough of *Abingdon* for the Time being ' ; with other persons appointed by name.

A. D.
1777-8.

Section 5 appointed trustees of the Abingdon District among whom, together with the Mayor, Bailiffs, and Burgesses, Recorder, and Town Clerk of Abingdon, the Master and Governors of the Hospital of Christ in Abingdon and other persons appointed by name, were included ' the Vice-chancellor and Heads of Colleges and Halls in the University of *Oxford* for the Time being, the Members in Parliament for the University, County, and City of *Oxford* for the Time being ' .]

And whereas by divers Statutes, made in the Eighteenth and Thirty-fifth Years of the Reign of Queen *Elizabeth*, and the Third and Sixteenth years of the Reign of King *Charles* the First, relating to the Bridges and Highways near the City of *Oxford*,¹ it is provided and enacted, That every Person having One Yard-land or more in his Possession, lying within Five Miles of the University and City of *Oxford*, or the Franchises of the same, shall, for every Yard-land, perform such Personal Duty as in the said Acts is mentioned, or in lieu thereof shall make certain annual Payments, specified in the said Acts, unto the Vice-chancellor and Mayor of the same University and City for the Time being, or their Deputy or Deputies, towards the amending of the Bridges and Highways lying and being within One Mile of the said City of *Oxford*: And whereas

XIX.
Mileway
Money
vested in
Trustees
for the
Oxford
District.

¹ 18 Eliz. c. 20 (*supra*), 35 Eliz. c. 7 (*supra*), 3 Car. I. c. 5 [c. 4., Ruff.], and 16 Car. I. c. 4.

A. D.
1777-8.

the Causeway, called *Hinksey Causeway*, leading from *Fryer Bacon's Study* towards *Abingdon* aforesaid, is Part of the Roads directed to be repaired by this Act, and is One of the said Mile-ways, and the several Sums of Money following have usually been collected and received annually from the following Parishes and Townships, in the County of *Berks*, by virtue of the before-mentioned Statutes, towards repairing the said Causeway called *Hinksey Causeway*; that is to say, From the Parish or Township of *Sunningwell*, Three Pounds Twelve Shillings; from *Sandford*, One Pound Nine Shillings; from *Chilswell*, Ten Shillings; from *Wootton*, Two Pounds Twelve Shillings; from *Norcott*, One Pound Seven Shillings; from *Kennington*, One Pound Fourteen Shillings; from *South Hinksey*, Two Pounds Five Shillings; from *Besselsleigh*, One Pound Ten Shillings; from *Radley*, Two Pounds Eighteen Shillings; and from *Grand Pond*, One Pound: And whereas it would be convenient to put the Collection and Expenditure of the said Sums under the Direction and Management of the Trustees for the Care of the Roads within the said *Oxford* District; be it therefore enacted by the Authority aforesaid, That, from and after the said Twenty-fifth Day of *March*, One thousand Seven hundred and seventy-eight, the Clerk for the Time being to the said Trustees for the Care of the said Roads within the *Oxford* District is hereby authorised and empowered to collect and receive the said respective Sums of the Surveyor or Surveyors of the Highways for the Time being of each respective Parish and Township aforesaid, as the same shall become due: And in case of Default of Payment by any of the said Surveyors of the Highways for the Space of Four Days after the same shall be due, and Demand thereof made in Writing under the Hand of the Clerk to the said Trustees, it shall and may be lawful for the said Clerk by virtue of this Act, and without any other Warrant or Authority whatsoever for so doing, to levy the same by Distress and Sale of the Goods of such Surveyor or Surveyors of the Highways as shall so make Default, returning the Overplus (if any be) upon Demand, after deducting

If Parish Surveyors neglect to pay the same to their Clerk, it may be levied by Distress.

thereout the Charges of such Distress and Sale ; and it shall and may be lawful to and for the Surveyor or Surveyors of the said Highways who shall have paid such Sums, or on whom such Distress as aforesaid shall have been made, to reimburse himself and themselves such Sums so paid or levied as aforesaid by collecting the same of the Persons whose Estates have been usually charged therewith, or by such other Means as, according to the Laws now in being, Surveyors of the Highways of this Kingdom are to be reimbursed the Monies by them expended in buying Materials for amending the Highways ; and the Clerk to the said Trustees shall from Time to Time pay the Money so received by him to the Treasurer for the Roads within the said *Oxford* District, to be applied to the Repairs of the said Roads, and the other Purposes of this Act, within the same District.

A. D.
1777-8.

[Section 20 directs the trustees of the Oxford District to pay off a debt of £40 borrowed on the credit of the Mileway money.]

And be it further enacted, That it shall and may be lawful for the Trustees for the Care of the said *Oxford* District of Roads to cause the said Building or Erection called *Fryer Bacon's Study* to be taken down, and to lay the Site thereof, or such Part thereof as shall be necessary, into the publick Road ; and also to apply and dispose of the Materials of which the said Building or Erection consists in and towards the Repairs of the said *Oxford* District of Roads, or such Part thereof as they shall think fit ; the said Trustees first agreeing with, and making a full Recompence and Satisfaction to, the Person or Persons, Bodies Politick or Corporate, who shall sustain any Damage or Injury by reason of such taking down and disposing of the said Building or Erection, and laying the Site thereof, or any Part thereof, into the said publick Road as aforesaid.

XXI.
and may
take down
*Fryer
Bacon's
Study.*

[Section 23 declares the Act to be a public Act.]

18^o GEO. III. *Cap. 35.*¹

A. D.
1777-8.

An Act for annexing a Portion of the Rectory, and of the Rectory Manor thereto belonging, of *Huntspill*, in the County of *Somerset*, to the Office of Master of *Baliol College* in *Oxford*.

Baliol
College
are Patron
of Hunt-
spill.

The Master
entitled to
claim any
Living
belonging
to the
College.

College
desirous of
annexing a
Portion of
the Rec-
tory of
Huntspill
to the
Headship.

WHEREAS the master of Baliol College in the university of Oxford and the scholars of the same College are seised of the perpetual advowson and right of presentation of and to the rectory and parish church of Huntspill in the county of Somerset and the reverend Theophilus Leigh doctor in divinity the present master of the said college is now rector of the said parish AND whereas by the statutes of the said college the master is intitled to claim any one of the livings belonging to the said college as the same happen to become vacant as an addition to his headship but on account of his necessary residence in college he is unable personally to do the duty of a parish situate at a great distance from the college and cannot conveniently reside in such parish and inconveniencies have happened by masters electing to remove to other livings and sometimes to the masters themselves by no living happening to become vacant for a considerable time after their election to the headship of the said college AND whereas the said master and scholars are desirous and have proposed to the most reverend father in God Frederick by divine providence lord archbishop of Canterbury the visitor of the said college and to the right reverend father in God Charles by divine permission lord bishop of Bath and Wells (within whose diocese the said parish of Huntspill is situate) that the clear sum of two hundred and fifty pounds a year shall after the next avoidance of the said rectory be paid out of the same rectory unto the master of Baliol College aforesaid for

¹ The title of this Act is taken from the table on the roll as printed by the King's Printers; the Act itself, which is not on the roll, has been copied from the original Act (No. 79) preserved at the House of Lords.

the time being for ever and in consideration thereof shall be precluded from his said claim or right to the said rectory or any other of the livings in the patronage of the said college and the said visitor and diocesan for removing the inconveniencies before mentioned to the said college and promoting succession amongst the scholars and in order that persons may be hereafter presented to the said rectory who will have it in their power personally to attend the duties of their sacred function have severally agreed and are willing that the said proposal shall be carried into execution But as the same cannot be done without the aid of parliament *MAY* it therefore please your Majesty that it may be enacted AND be it ENACTED by the King's most excellent Majesty by and with the advice and consent of the Lords spiritual and temporal and Commons in this present parliament assembled and by the authority of the same That from and after the next avoidance of the said rectory of Huntspill the rector of the said parish for the time being shall yearly and every year for ever thereafter pay or cause to be paid out of the said rectory unto the master of Baliol College in Oxford for the time being at or in the common Dining Hall of the said College the sum of two hundred and fifty pounds free and clear of and from all deductions for taxes either parliamentary parochial or any other matter cause or thing whatsoever on the feasts of Saint John the baptist and Saint Thomas the apostle by even and equal portions

A. D.
1777-8.

After the next Avoidance of that Rectory, a Portion of it to be annexed to the Headship.

AND it is hereby further ENACTED that the master of the said college for the time being shall from and after the passing of this act be precluded from any right or claim to be presented to the said rectory or any other living or benefice in the patronage of the said college and shall be and is hereby rendered incapable of holding any living or benefice belonging to the said college together with the said office or place of master of the said college and if it shall happen that any person shall be hereafter elected to the said office or place who shall at the time of such his election hold or be possessed of a living or benefice

II.
Master of the College to be precluded from holding any Living in the Patronage of the College.

A. D.
1777-8.

the presentation whereto shall belong to the said college then such living or benefice shall upon the acceptance of and admission of any such person to the said office or place of master of the said college become vacant and the said master and scholars shall and may in such case present to such living or benefice so becoming vacant as if the person so accepting of the said office or place of master was naturally dead Provided that nothing herein contained shall make void any other living or benefice (not in the patronage of the said college) which any master of the said college shall be legally possessed of at the time of his being appointed master of the said college or at any time afterwards it being the intention of this act that it shall be lawful for the master of the said college for the time being to hold and enjoy the said portion of the said rectory of Huntspill hereby annexed to the said office or place of master together with any ecclesiastical preferment whatsoever (not belonging to the said college) to which he may be legally appointed

III.
Power to
increase or
lessen the
Portion.

PROVIDED always and it is hereby further ENACTED that in case it shall at any time or times hereafter appear to the satisfaction of the visitor of the said college and the bishop of Bath and Wells for the time being and the said master and scholars that the said rectory now is or hereafter shall be of considerably greater or less annual value than the present actual or supposed value thereof computing the same at seven hundred pounds by the year that it shall and may be lawful to and for the said master and scholars from time to time by and with the consent and approbation of the said visitor and diocesan for the time being by any deed or instrument under their respective seals to increase or lessen the said portion payable out of the said rectory to the said master in such manner as they shall think fit so as the same shall not exceed the clear yearly sum of three hundred pounds nor be reduced under the sum of two hundred pounds by the year free of all out goings whatever as aforesaid

IV. AND it is hereby further ENACTED that it shall and may

be lawful to and for the master of the said college for the time being from time to time in case of the non-payment of the portion of the said rectory within thirty days after the same shall become due as aforesaid to have and exercise such and the same remedies and powers by distress and entry on the glebe and other lands belonging to the said rectory or by action or otherwise against the rector of the said parish for the time being for recovering the said portion so to be paid and ascertained as aforesaid as by the laws now in force are provided for and given to Landlords for the recovering of rack rents in arrear

A. D.
1777-8.
Mode of
recovering
the Por-
tion.

PROVIDED and it is hereby further ENACTED that upon every vacancy of the said rectory the succeeding rector and the former incumbent or his representatives shall pay the year's portion in which such vacancy shall happen in proportion to the rents and profits they shall respectively receive in the year in which such vacancy shall happen such year to be computed from the feast of Saint Thomas preceding such vacancy and in case such succeeding rector and the former incumbent or his representatives shall not agree and settle the same within one calendar month after the induction of the new rector then that the same shall be ascertained by two indifferent persons one to be chosen by the new rector and the other by the former rector or his representatives but in case such new rector or the former rector or his representatives shall neglect or refuse to appoint two persons as aforesaid or the said persons so appointed shall neglect or refuse to ascertain and settle the same within three calendar months after the induction of the new rector then and in either of the said cases the master of the said college for the time being shall and may nominate an indifferent person to settle and ascertain the proportion to be paid by such parties as aforesaid and from and after the same shall have been so ascertained and settled as aforesaid shall and may demand sue for and recover in manner as aforesaid their respective proportions of such year's portion in which such vacancy shall happen as aforesaid

V.
On the
Death or
Cession of
the Rector,
the lia-
bility for
payment of
the Year's
Portion
to be ap-
portioned.

A. D.
1777-8.

VI.
On a Vacancy of the Headship, the Year's Portion to be apportioned.

VII.
General Saving.

AND it is hereby further provided and ENACTED that on every vacancy of the said office or place of master of the said college the former master or his representatives shall be intitled to a proportion of the year's portion payable out of the said rectory from the feast of Saint Thomas preceding to the time of such vacancy and the succeeding master shall be intitled to the remainder of such year's portion in which such vacancy shall so happen

SAVING always to the King's most excellent Majesty his heirs and successors and to all and every other person and persons bodies politic and corporate his her and their heirs successors executors and administrators (other than and except the said master and scholars of Balliol College and their successors and the rector of the said parish of Huntspill and his successors) all such right title interest claim and demand of in or to the said advowson and patronage of the church and rectory of Huntspill aforesaid as they every or any of them had before the passing of this act or could or ought to have had in case this act had not been made.¹

21^o GEO. III. CAP. XXIV.

A. D.
1780-1.

An Act for repealing the present Duties upon Paper, Pasteboards, Millboards, and Scaleboards,

¹ By Clause 3 of the General Ordinance made for Balliol College by the Oxford University Commissioners in 1857 the Master and Fellows were empowered at any time to commute the emoluments of the Mastership, including the portion of Huntspill Rectory annexed thereto, for a stipend or annual sum payable out of the College revenues or for a certain proportion of those revenues. The exercise of the power was not to affect the person being Master at the time without his consent, and was to be subject to disallowance by the Visitor. The Ordinance was repealed by Statutes of the College approved on the 21st of December, 1871, which however (Clause 7) re-enacted the provision as to commuting the Master's emoluments, with a variation affecting only the power of appealing to the Visitor. The Statutes of 1871 were in their turn repealed by the Statutes approved in 1882 and now in force. By Stat. II. 5 (b) of these Statutes the fixed annual stipend thereby assigned to the Mastership out of the College revenues is expressed to be in addition to the 'Gubernation Money' payable out of the Snell Trust Fund and to the portion of the Rectory of Huntspill annexed to the Mastership.

made in *Great Britain*, and for granting other Duties in lieu thereof.¹

A.D.
1780-1.

[Sections 1 and 2 repeal from the 21st of May, 1781, the paper duties imposed by 10 Ann. c. 18 [c. 19., Ruff.] (*supra*) and the further duties imposed subject to the like allowances and drawbacks by 13 Ann. c. 18 [12 Ann. St. 2. c. 9., Ruff.], and impose new duties.]

XL. Provided always, and be it enacted by the Authority aforesaid, That, for the Encouragement of Learning, so much Money as shall from Time to Time be paid for the Duties granted by this Act for any Quantities of Paper which shall be used in the printing any Books in the *Latin*, *Greek*, Oriental, or Northern Languages, within the Two Universities of *Oxford* and *Cambridge*, or either of them, by Permission of the Vice-chancellors of the same respectively, shall and may be drawn back and repaid in Manner following; (that is to say), The chief Manager of the Press in each of the said Universities, shall and may from Time to Time make Proof by Oath, in Writing, before the Vice-chancellor, who is hereby impowered to administer the same, expressing therein the Kinds and Quantities of the Paper so used, and how much the Duties thereof, payable by this Act, doth amount to; which said Oath in Writing being certified by the Vice-chancellor, and produced to the Lord Treasurer, or Commissioners of the Treasury for the Time being, the said Lord Treasurer, or Commissioners of the Treasury for the Time being, shall forthwith from Time to Time issue his or their Orders or Warrants to the respective Commissioners who by this Act are to manage the Duties upon Paper, to cause Payment to be made of such Money as the Duties payable by this Act for the Paper so used in the printing of the said Books in the said Universities as aforesaid shall amount to, the same Payment

A Draw-
back to be
allowed
the Uni-
versities of
Oxford
and *Cam-*
bridge for
all Books
they shall
print in
Latin,
Greek, &c.

¹ Additional duties were imposed, subject to the same allowances and drawbacks, by 24 Geo. 3. Sess. 2. c. 18. The duties imposed by these Acts were repealed by 27 Geo. 3. c. 13. s. 1 (*infra*). This Act was repealed by 34 Geo. 3. c. 20. s. 53 (*infra*), and again by 2 & 3 Vict. c. 23. s. 67 (*infra*).

A. D.
1780-1.

to be made, without Fee or Charge whatsoever, and without Delay, to such Person or Persons as the said respective Vice-chancellors shall authorize and appoint to receive the same, out of any of the Duties upon Paper arising by this Act; any Thing in this Act contained to the contrary notwithstanding.

[Section 41 allows a like drawback in favour of the Universities of Scotland.]

21^o GEO. III. CAP. XLVII.

An Act to amend and enlarge the Powers of an Act, passed in the Eleventh Year of His present Majesty's Reign, for performing several Works, and making Improvements within the University and City of *Oxford*, and the Suburbs thereof, and in the adjoining Parish of *Saint Clement*.¹

Preamble.
Recital of
an Act 11
Geo. III.²

WHEREAS an Act was passed in the Eleventh Year of His present Majesty's Reign, *for amending certain of the Mile-ways leading to Oxford; for making a commodious Entrance through the Parish of Saint Clement; for rebuilding or repairing Magdalen Bridge; for making commodious Roads from the said Bridge, through the University and City, and the Avenues leading thereto; for cleansing and lighting the Streets, Lanes, and Places, within the said University and City, and the Suburbs*

¹ This Act and the other Mileway Acts (11 Geo. 3. c. 19 (*supra*), 52 Geo. 3. c. 72 (*infra*), 5 & 6 Will. 4. c. lxix (*infra*), and 11 & 12 Vict. c. xxxvii (*infra*)) were, on the establishment of a Local Board under the Local Government Act, 1858 (21 and 22 Vict. c. 98 (*infra*)), repealed by Art. 4 of the Order of the 31st of May, 1865, confirmed by 28 & 29 Vict. c. 108 (*infra*), except the provisions relating to Magdalen Bridge, the mileways, and the tolls in respect of the same and mortgages thereof, and those relating to markets and gas supply, the excepted provisions, other than those relating to the markets, being by Art. 5 of the order made applicable to the Local Board instead of the Commissioners.

By Art. XXIV of the Oxford Order, 1889, confirmed by 52 Vict. c. xv (*infra*) the unrepealed provisions were repealed except those relating to markets, in respect of which the Corporation of the City was substituted for the Local Board, the Market Committee, and the University respectively; the right, however, of the University to appoint Clerks of the Market being preserved.

² Cap. 19 (*supra*).

thereof, and the said Parish of Saint Clement ; for removing Nuisances and Annoyances therefrom, and preventing the like for the future ; for empowering Colleges and Corporations to alienate their Estates there ; for removing, holding, and regulating Markets within the said City ; and for other Purposes : And whereas great Progress has been made in executing the said Act ; particularly the said Mile-ways have been amended, temporary Bridges provided, a new Stone Bridge built over the River *Cherwell*, near *Magdalen College*, which is now passable, (but not completed), several Houses and Buildings purchased and taken down, in order to make commodious Avenues to the said Bridge and Entrance into and through the said University and City ; the principal Street, called *The High Street*, new paved, and several other Works performed, wherein a large Sum of Money hath been expended, which was taken up at Interest on the Credit of the Tolls by the said Act granted : And whereas the said Tolls are to have Continuance from the Commencement thereof for the Term of Twenty-one Years, and to the End of the then next Session of Parliament : And whereas the said Bridge and Avenues thereto cannot be completed, and the Money so borrowed be repaid, and the Bridge and Mile-ways kept in Repair in future, unless the said Tolls are continued for a further Term, and some other Assistance given : And whereas it would be a great Advantage to the Inhabitants of the said University, City, and Suburbs, and Parish of *Saint Clement*, and to all Persons resorting thereto, to have the Whole of the Streets, Lanes, Passages, and open Places, therein paved ; and some other of the said Streets and Passages widened, besides those specified in the said Act : And whereas some other Amendments and further Regulations are wanting to the said Act to make it extensively useful : May it therefore please your Majesty that it may be enacted ; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of

A. D.
1780-I.

Present
Term of
the Tolls.

A.D.
1780-1.
The Term
of the
former Act
respecting
Tolls, &c.
continued
for a
further
Term of
21 Years.

the same, That so much of the said Act passed in the Eleventh Year of His present Majesty's Reign as relates to the Tolls thereby granted, and to the Mile-ways, Stone Bridge, and Avenues thereto, shall have Continuance from the Expiration of the Term by the said Act limited, for and during the further Term of Twenty-one Years, and to the End of the then next Session of Parliament.

[Sections 2 and 3 contain provisions as to tolls.

Section 4 directs the cost of cleansing and lighting Magdalen Bridge to be borne by the tolls; sections 5 and 6 prohibit damage to the Bridge.]

Commis-
sioners
impowered
to widen
the *High*
Street.

VII. And be it further enacted, That it shall be lawful for the said Commissioners, and they, or any Fifteen or more of them, are hereby impowered to cause the said Street, called the *High Street*, to be widened in the upper Part thereof, by taking down the Houses, Buildings, Shops, and Tenements, situate on the North Side of the said Street, or such Parts thereof respectively as shall be necessary, and which now project beyond the Line of the said Street, and are or lately were in the several Possessions or Occupations of *James Slater, Cook; J. Radford, Edward Lock, Thomas Bush, Hannah Hanmore, John Midwinter, John Smith, George Moore, John Winchester, and Joseph Mason*, or their Under-tenant or Under-tenants; and for that Purpose it shall be lawful for the said Commissioners, or any Fifteen or more of them, to become possessed of the said Houses, Buildings, Shops, and Tenements, or so much thereof as shall be necessary; and to pay for the same, and all Expences in widening the said Street, out of the Money to arise by or on Account of the Tolls to be taken by Virtue of the said former Act, and this Act: And all the Clauses, Powers, Provisions, Authorities, Regulations, Restrictions, and Directions, in the said former Act contained, respecting or any Ways relating to widening or altering any of the Roads or Streets within the said University or City of *Oxford*, or the Suburbs thereof, shall, where necessary or applicable, take Place, be executed, and put in

Force in all Respects, and to all Intents and Purposes, and the said Commissioners, and the said Houses, Buildings, Shops, and Tenements, and the Owners and Occupiers thereof, and all Persons interested therein, shall be subject to, and supported by the Provisions and Directions of the said former Act, in such and the same Manner as could, would, or might have been, in case the Business of widening the said *High Street*, as intended by this Act, had been included, and made a Part of the said former Act.

A. D.
1780-1.

[Section 8 repeals the provision in 11 Geo. 3. c. 19 (s. 26) for payment of paving expenses out of the tolls; and section 9 extends the powers of paving to the whole of the University City and Suburbs, and the Parish of St. Clement.]

X. And whereas Power is given to the Commissioners, by the said former Act, to make Rates or Assessments for defraying the Charges of paving, repairing, cleansing, and lighting, at a certain Sum by the Yard, Running Measure, of the Fronts or Lengths of the Buildings and Places liable to be rated; which Mode of rating proves to be inequitable: Be it therefore further enacted, That the Powers and Directions given by the said Act to raise Money by the Running Measure as aforesaid, shall be, and is¹ hereby repealed; and that from and after the passing of this Act,² the Monies necessary for defraying the Charges and Expences of paving, pitching and repairing, and cleansing and lighting the several publick Streets, Lanes, Ways, Passages, and Places, within the said University, City, and Suburbs, and Parish of *Saint Clement*, shall be raised in Manner following; that is to say, The said Commissioners, or any Seven or more of them, shall annually, or oftener, ascertain, at a publick Meeting to be held for that Purpose, the Monies they shall judge necessary to be raised for the respective Purposes of paving, pitching, and repairing, and also for the Purpose of cleansing and lighting; and shall, within Two Days after any such Sum shall be ascertained

Method of
raising
Money
for paving,
repairing,
cleansing,
and light-
ing.

¹ *Sic.*

² The Act received the Royal Assent on the 19th of June, 1781.

A.D.
1780-1.

and agreed upon, give Notice thereof, specifying the Sum or Sums to the Vice-chancellor of the said University, in Writing, under the Hands of any Seven or more of them, to be delivered to him, or left at his Place of Abode; Two Fifth Parts of which respective Sums, each such Sum into Five equal Parts to be divided, shall be paid by or on Account of the said University in Manner herein-after mentioned; and the other Three Fifth Parts shall be raised by Rates or Assessments to be made by the said Commissioners, or any Seven or more of them, in Manner following; that is to say, the respective Rates for new paving and pitching shall be laid by a Pound-rate upon the Owners or Proprietors of all Houses, Buildings, Yards, Gardens, Lands, Tenements, and Hereditaments, situate within the publick Streets, Lanes, Ways, Passages, and Places, to be paved and pitched by virtue of the said former Act and this Act; and that the Rate or Assessment for repairing, cleansing, and lighting, shall be laid by a Pound-rate upon the Tenants or Occupiers of all Houses, Buildings, Yards, Gardens, Lands, Tenements, and Hereditaments, in the said University, City, and Suburbs thereof, and the said Parish of *Saint Clement*.

Limitation
of Monies
to be raised.

XI. Provided always, and it is hereby enacted and declared, That the Whole of the Money to be ascertained by virtue of this Act for the Purpose of new paving and pitching, shall be so limited, that the Proportion of the Three Fifth Parts of the Assessment to be laid upon the Owners and Proprietors of Houses, Buildings, Yards, Gardens, Lands, Tenements, and Hereditaments, shall not exceed the Sum of One Shilling in the Pound in any One Year, of the yearly Rent or yearly Value of such Houses, Buildings, Yards, Gardens, Lands, Tenements, and Hereditaments, respectively: And that the Whole of the Monies to be ascertained for the Purpose of repairing the Pavements, and cleansing and lighting the Streets, Lanes, Ways, Passages, and Places, within the said University, City, and Suburbs, and Parish of *Saint Clement*, shall be so limited, that the Proportion of the Assessments to be laid upon the

Occupiers of Houses, Buildings, Yards, Gardens, Lands, Tenements, and Hereditaments, shall not exceed the Sum of One Shilling in the Pound in any One Year, for the Purpose of repairing the Pavements ; nor the Sum of One Shilling in the Pound in any One Year, for the Purpose of cleansing and lighting, of the yearly Rent or yearly Value of such Houses, Buildings, Yards, Gardens, Lands, Tenements, and Hereditaments respectively.

A. D.
1780-1.

[Section 12 authorizes the payment out of the rates of arrears due to contractors for cleansing and lighting.

Section 13 provides for the recovery of arrears of rates, and the collection of the rates under this Act, the orders for which are to be signed by two Justices of the Peace for the City or University.]

XIV. And be it further enacted, That the Chancellor, Masters, and Scholars of the said University of *Oxford*, shall, and they are hereby required to pay or cause to be paid the Sum which shall have been ascertained as the Proportion of any Rate or Rates made by virtue of this Act, to be paid on Account and Behalf of the said University ; and in case the said Chancellor, Masters, and Scholars, shall neglect or omit, after any such Account shall have been delivered to, or left for the said Vice-chancellor, to pay or cause to be paid to the Treasurer or Clerk or Clerks to the said Commissioners, on Demand, the Amount of the Proportion so charged upon the University ; then the Vice-chancellor, for the Time being, shall be, and is hereby deemed and made liable to pay the said Proportion of Two Fifth Parts of each Assessment by this Act charged upon the said University ; and the same and every Part thereof may and shall be recovered of and from him, by such Ways and Means as are by the said Act prescribed for Recovery of Rates or Assessments laid upon any College or Hall.

The University to pay their Proportion.

XV. Provided always, That the said Chancellor, Masters, and Scholars may, and they are hereby impowered and required, from Time to Time, to ascertain the Sum which they shall adjudge to be the Quota of each College and Hall, to make up the said Two Fifth Parts, and may make a Rate

The University to ascertain the Sum they adjudge to be the

A. D.
1780-I.
Quota of
each Col-
lege or
Hall.

or Rates on each such College and Hall for the same ; which may be sued for in the Name of the Vice-chancellor, and recovered of the Bursars or other Officers, by the Ways and Means mentioned and prescribed by the said former Act, with respect to the Rates and Assessments thereby laid upon Colleges and Halls.

University
to deduct
a reason-
able Al-
lowance
for the
Expence of
collecting.

XVI. And be it further enacted, That the said Chancellor, Masters, and Scholars may, and they have hereby Power to deduct such an Allowance for the Trouble of collecting from the several Colleges and Halls as to the said Commissioners, or any Seven or more of them, shall appear reasonable, at the Time of receiving the Money, on Account of the University.

Exemp-
tions from
the Rates.

XVII. Provided also, and be it further enacted, That neither the publick Market of the said City of *Oxford*, established by virtue of the said Act, nor any Meadow, Pasture, or Arable Land, nor any Ground which shall exceed Half an Acre, and be used as a Garden for Sale of the Produce thereof, nor any Person or Persons who is or are not charged upon, or on Account of Poverty excused paying to the Poors Rates, shall be charged or be liable to pay any, or any Part of any Rate or Assessment made by virtue of this Act.

Applica-
tion of
Money
arising by
the Rates.

XVIII. And be it further enacted, That the Whole of the Money so to be received, assessed, and collected, or recovered, shall be applied to the several and respective Purposes for which they are granted, and to or for no other Use or Purpose whatsoever, except as herein-after is excepted.

If Col-
leges, &c.
advance
Three or
Four
Years
paving
Rates, to
new pave
Streets, the
same shall
be al-
lowed as
paid in
future
Rates.

XIX. Provided also, and be it further enacted, That in case any of the said Colleges or Halls, or the Owners or Proprietors of any Houses, Buildings, Yards, Gardens, Lands, Tenements, and Hereditaments, in the said University, City, and Suburbs thereof, and the said Parish of *Saint Clement*, shall chuse to advance and pay, or cause to be advanced and paid, any Sum or Sums of Money, not exceeding the Amount of Three or Four Years paving Rates on their respective Colleges, Halls, Houses, Buildings, Yards, Gardens, Lands, Tenements, and Here-

ditaments, in order the more expeditiously to new pave the said Streets, Lanes, Ways, Passages, and Places, within the said University, City, and Suburbs thereof, and Parish of *Saint Clement*, the same shall be allowed as paid in the future Rates made for new paving.

A. D.
1780-1.

XX. And whereas, in case the Street or Passage, in the said City of *Oxford*, called *The Turl*, which is at present very narrow, was made sufficient to admit Carriages to pass commodiously, a very convenient Communication would be made between the Streets called *Broad Street* and the *High Street*, within the said City, be it therefore further enacted That it shall be lawful for the said Commissioners, or any Fifteen or more of them, to treat and agree with the Owners and Occupiers of, and all other Persons interested in, the Houses and other Buildings and Ground, both on the East and West Sides of the said Street or Passage called *The Turl*, for the same, or so much thereof as may be necessary for the Purpose aforesaid, and to purchase and become seised and possessed thereof, and to pay for the same out of any Money that shall come to their Hands for such Purpose, either by Subscription, or publick or private Donation or Bequest; and that it shall be lawful to and for all Bodies Politick, Corporate, or Collegiate, Corporations Aggregate or Sole, and all Persons whomsoever under any Disability, and Persons acting for others, to contract for, sell, convey, surrender, or assign to the said Commissioners, or any Fifteen or more of them, or to such Person or Persons as they shall appoint, in Trust for them, all or any such Buildings, Houses, and Ground, or any Part or Parts thereof, or any Estate or Interest therein; and that all such Sales, Conveyances, Surrenders, and Assignments, shall be good and valid in the Law, to all Intents and Purposes: And that if any such Bodies, Corporations, or other Persons, upon Notice to them respectively given, or left in Writing at the Place of Abode of the Person or Persons, or of the Head Officer or Officers of such Bodies or Corporations respectively, or at the House or Houses of the Tenant or Tenants in Possession, shall, by the Space of One Calendar

The *Turl*
to be
widened.

Incapacitated Persons im-
powered
to sell and
convey.

If Parties
neglect to
treat, &c.
Damages
to be ascer-
tained by
a Jury.

A. D.
1780-1.

Month next after such Notice, given or left as aforesaid, neglect or refuse to treat, or shall not agree in the Premises, or by Reason of Absence shall be prevented from treating, then and in every such Case it shall be lawful for the said Commissioners, or any Fifteen or more of them, to cause the Subject Matter to be enquired into, and all Differences to be adjusted, settled, and determined, and proper Recompences and Damages ascertained by a Jury, in such Manner, and under the same Rules and Orders, as are in the said former Act prescribed for settling Recompence and Damage, on Account of widening any of the Streets or Places therein mentioned.

When Es-
tates are
paid for,
the Pas-
sage may
be widened.

XXI. And be it further enacted, That when and as soon as full Satisfaction shall be made, by any of the Means aforesaid, to all Persons interested in such Houses, Buildings, and Ground, it shall be lawful for the said Commissioners, or any Nine or more of them, and they are hereby empowered to cause the Houses and Buildings to be taken down, and the Ground, or so much thereof as they shall think proper, to be laid into the said Street or Passage, and dispose of the Overplus Ground (if any) and the Materials, in such Manner as they shall think proper, and apply the Money arising therefrom towards widening the said Street or Passage.

Time
limited for
paying
Purchase
Money.

XXII. Provided always, and be it enacted, That if the said Commissioners, or any Fifteen or more of them, shall not, within Three Calendar Months after every Judgement, Decree, or Determination, of any Jury, pay, or cause to be paid, all such Sum or Sums of Money as shall be awarded for the Purchase of, or for Recompence or Damage to be sustained by the Owners, Occupiers, and Persons interested in the Premises, then the Judgement, Decree, or Determination as aforesaid, and all Deeds, Contracts, Agreements, or Proceedings to be had, made, or done, in Consequence thereof, shall be utterly void, and of no Effect; any Thing in the said former Act, or in this Act, contained to the contrary notwithstanding.

XXIII. Provided also, That if after Notice shall have

been given of the Intention of calling a Jury for any of the Purposes aforesaid, the said Commissioners, or any Fifteen or more of them, shall not cause a Jury to be summoned, by issuing their Warrant or Warrants to the Sheriff of the County of *Oxford*, or if the said Commissioners, or any Fifteen or more of them, shall neglect or omit to make Payment in Manner directed, then and in every such Case the said Commissioners, or any of them, shall not at any future Time issue any Warrant or Warrants for calling a Jury ; and no Person or Persons to whom any Notice shall have been given, shall, on the Failure of summoning such Jury, be obliged at any Time after to contract for, sell, or otherwise dispose of any Premises which he, she, or they may be seised or possessed of, or interested in.

A. D.
1780-1.
Proviso
with re-
spect to
calling a
Jury.

XXIV. Provided likewise, and it is hereby declared and enacted, That no Part of the Money to arise by or on Account of the Tolls or Rates, established by virtue of the said former Act, or this Act, shall be applied for any Use or Purpose relating to widening the said Street or Place called *The Turl.*

No Money
arising by
Tolls or
Rates to be
applied
for this
Purpose.

XXV. And whereas, in pursuance of the Directions and Powers contained in the before recited Act, the Committee respectively deputed and appointed by the Chancellor, Masters, and Scholars of the University of *Oxford*, and the Mayor, Bailiffs, and Commonalty of the City of *Oxford*, have proceeded to erect and build a new Market, and have completed the same, on a Plot or Piece of Ground set out and described by the Commissioners appointed by, or acting under the said Act: And whereas by the several Laws now in Force for recovering Rents in Arrear, the Person distraining any Goods or Chattels cannot sell or dispose of the same until the Expiration of Five Days next after such Distress taken, and Notice thereof given to the Party distrained upon, which has been found inconvenient in Distresses made for Arrears of Rents due from Persons occupying Shops and other Erections in the said Market, by Reason of the Goods being of a perishable Nature: Be it therefore further enacted, That in all Cases

Reciting
that a New
Market
has been
completed,
&c.

A. D.
1780-1.
Distress
taken
therein
may be
sold in
24 Hours,
if not re-
plevied.

where any Rent shall henceforth become due and be in Arrear, for or in respect of any of the said Shops and other Erections in the said Market, and any Goods or Chattels shall be taken in Distress for the same, and the Tenant or Owner of the Goods or Chattels, so distrained, shall not, within the Space of Twenty-four Hours next after such Distress taken, and Notice thereof (with the Cause of such Distress) given to the Person distrained upon, or left at his usual Place of Abode, or upon some notorious Part of the Premises charged with the Rent distrained for, replevy the same, with sufficient Sureties, as in the Cases of other Distresses, then, after such Distress and Notice as aforesaid, and Expiration of the said Twenty-four Hours, the Goods and Chattels so taken in Distress shall and may be appraised, and afterwards sold and disposed of in such Manner and for such Purposes, and under and subject to such Provisions and Regulations, as are mentioned and enacted with respect to other Distresses for Rent; any Law, Statute, or Usage, to the contrary notwithstanding.

Butter,
Eggs, and
Fruit, (ex-
cept as ex-
cepted) to
be sold in
the New
Market
only.

XXVI. And whereas it will be more convenient that the present Market for Butter and Eggs should be removed into the said New Market; and some Doubts have arisen whether Apples, Cherries, and other Fruit, which are sold or exposed to Sale in the said University and City, and Suburbs thereof, are obliged, under and by Force of the before recited Act, to be brought into and sold in the said New Market: Be it therefore further enacted, That it shall not be lawful for any Person or Persons hereafter to vend or expose to Sale any Butter, Eggs, Apples, Cherries, or other Fruit, in any other Place whatsoever within the said University, City, or Suburbs, than in the said New Market, (other than and except such Apples, Cherries, and Fruit, as shall be sold by Persons inhabiting within the said University, City, or Suburbs, within their own Houses or Shops, and which shall be *bona fide* their Property, and which shall be raised within their own Gardens or Plantations within the said University or City,

or shall have been by them purchased in the said new Market); and every Person who shall hereafter vend or expose to Sale any Butter, Eggs, Apples, Cherries, or other Fruit, (except as aforesaid), in any other Place within the said University, City, or Suburbs, than in the said New Market, shall be subject and liable to the same Penalty, and to be recovered and disposed of in the same Manner as is mentioned and directed by the said Act, in respect of Persons vending or exposing to Sale any Manner of Flesh, or other raw Victuals, Fish, Poultry, Herbs, Roots, or Garden Stuff, in any other Place within the said University, City, or Suburbs, than in the said New Market.

A. D.
1780-1.

XXVII. Provided always, That nothing herein contained shall prevent, or be construed to prevent, any Person or Persons from exposing to Sale or selling any Oranges, Lemons, or other Fruit which shall be the Growth or Produce of Foreign Parts, within their own Houses or Shops.

Foreign
Fruit ex-
cepted.

XXVIII. And whereas the North Part of the said New Market consists of an Area, or void Space of Ground, which is occupied upon Market Days by Persons resorting to the said Market with Apples, Peas, Potatoes, and other Garden Stuff, in their several Seasons, and various other marketable Goods and Commodities, and no Provision is made by the said Act for Payment of any Sum or Sums of Money in respect thereof: Be it therefore enacted, That the said Chancellor, Masters, and Scholars, and Mayor, Bailiffs, and Commonalty, and their respective Successors, or the Committee by them respectively from Time to Time appointed as aforesaid, shall and may demand and take of and from the said several Persons so occupying the said Area, with their respective Goods as aforesaid, any reasonable Sum or Sums of Money, by way of and as a Compensation for, and in Proportion to the Space of Ground so by them respectively occupied.

Persons
to pay for
selling any
Thing in
the Area
on the
North of
the Mar-
ket.

XXIX. And whereas the rating and assessing of the said New Market to the Land Tax in the Parish of *All Saints* in the said City (within which Parish the greater Part of

Recital of
Agree-
ments at
what Sums

A. D.
1780-1.
the New
Market
shall be
assessed in
the respec-
tive
Parishes of
All Saints
and *St.*
Michael.

The above
Agree-
ments
confirmed.

the said Market is built) hath been productive of much Dispute between the said Committee of the said Market and the Proprietors of Estates within the said Parish of *All Saints*, and the said Committee and Proprietors have come to an Agreement that so much of the said Market as is situate within the said Parish of *All Saints* shall from henceforth be considered as an Estate of One hundred and forty Pounds *per Annum*, and shall for ever afterwards be assessed to the Land Tax in that Parish as an Estate of that Value: And forasmuch as the Income from the Remainder of the said Market, which is situated in the Parish of *Saint Michael*, in the said City, is precarious and uncertain, it will be proper and expedient, and may hereafter prevent Disputes, to settle and ascertain what yearly Value that Part of the Market shall in future be rated at, to the Land Tax within that Parish, and the Proprietors of Estates there have hitherto considered the same as an Estate of Forty-six Pounds a Year, and the same hath been accordingly charged to the Land Tax at that Sum, and they are consenting that the same shall be established and fixed, so far as concerns the said Land Tax, at that yearly Value: Be it therefore further Enacted, That the said New Market, and all and every the Shops, Sheds, Stands, Stalls, and other Erections and Buildings therein, and all other Profits, Advantages, and Emoluments issuing and arising therefrom, or becoming due or payable in respect thereof, shall, for so much and such Part thereof as is or shall be situate and being, issuing and arising, or becoming due or payable, within the Parish of *All Saints* aforesaid, from henceforth for ever, so long as any Sum or Sums of Money, by way of Land Tax, shall be imposed upon the same Parish, by any Act or Acts of Parliament now in Force, or hereafter to be made, be rated and assessed to the Land Tax within the said Parish of *All Saints*, as an Estate of the yearly Value or Income of One hundred and forty Pounds, in the same Proportion, Manner, and Form, as other Estates within the said Parish are rated or assessed to that Tax, according to their respective

Rents or Values; and that so much and such Part thereof as is or shall be situate and being, issuing and arising, or becoming due or payable, within the Parish of *Saint Michael* aforesaid, shall from henceforth for ever, so long as any Sum or Sums of Money, by way of Land Tax, shall be imposed upon the same Parish, by any Act or Acts of Parliament now in Force, or hereafter to be made, be rated and assessed to the Land Tax, within the said Parish of *Saint Michael*, as an Estate of the yearly Value of Forty-six Pounds, in the same Proportion, Manner, and Form, as other Estates within the said Parish are rated or assessed to that Tax, according to their respective Rents or Values.

A. D.
1780-1.

[Section 30 prohibits obstructions in the passages from High Street to the Market.]

XXXI. And whereas some of the Penalties laid by the said former Act upon Persons wilfully breaking or damaging Lamps have not proved sufficient to prevent such Offences, be it therefore further enacted, That, from and after the passing of this Act, if any Person or Persons shall wilfully break, throw down, or otherwise damage, any of the Lamps erected by virtue of the said Act, or any of the Posts, Iron, or other Furniture thereof, or shall extinguish any of the said Lamps, every such Offender shall forfeit and pay the Sum of Twenty Shillings for each Lamp so broken, or thrown down, damaged, or extinguished as aforesaid, any Thing in the said former Act, as to the First or Second Offence, to the contrary notwithstanding; and the same Methods shall be pursued for enquiring into, recovering, levying, and applying the said Penalties, and otherways punishing the Offenders, as are respectively prescribed by the said former Act, with respect to the like Offences committed by Persons matriculated, or being Members of the said University, and by any other Person or Persons.

Penalty on
breaking
Lamps,
etc.

[Sections 32-40 contain provisions as to various obstructions and nuisances and cleansing of streets.]

A. D.
1780-1.
Foot
Paths to be
swept by
the In-
habitants.

XLI. And whereas, by a Clause in the said Act,¹ Direction is given for sweeping and cleansing the Foot Paths within the said University, City, and Suburbs, and Parish of *Saint Clement*: And whereas some other Direction is necessary to be given for that Purpose: Be it further enacted, That, from and after the passing of this Act, the said Clause, and every Part thereof, shall be, and is hereby declared to be then repealed; and that from thenceforth all and every Person and Persons inhabiting within the said University, City, or Suburbs, or Parish of *Saint Clement*, shall sweep and clean, or cause to be swept and cleansed, the Foot Paths before their respective Colleges, Halls, Houses, Buildings, and Walls, upon every *Monday, Wednesday, and Friday*, in the Year, between the Hours of Six and Nine in the Morning, and upon every *Saturday* in the Year between the Hours of Three in the Afternoon and Nine at Night, upon Pain of forfeiting, for the First Neglect therein, the Sum of Five Shillings, for the Second Offence, the Sum of Seven Shillings and Sixpence, and for the Third, and every subsequent Offence, the Sum of Ten Shillings; and the Person or Persons complained of, or informed against, shall prove that the Directions of the Act had been complied with, or otherwise shall pay the respective Penalties.

[Section 42 makes it the duty of the Scavenger to remove house refuse and street sweepings, and to sweep and cleanse twice a week footpaths not adjoining some College, Hall, or house.

Section 43 requires Commissioners to take and subscribe an oath that they possess the property qualification prescribed by 11 Geo. 3. c. 19. s. 5 (*supra*).]

Fellows of
Colleges,
and Stu-
dents of
*Christ
Church*,
may act

XLIV. Provided always nevertheless, and it is hereby enacted and declared, That all Persons who have been, or shall be named or appointed, by any College, or Hall, and all Members of the said University appointed Commissioners in, or by virtue of the said former Act, or to

¹ 11 Geo. 3. c. 19. s. 53 (*supra*).

be hereafter so appointed, being Fellows of Colleges or Students of *Christ Church* within the said University, shall be to all Intents and Purposes Commissioners for putting the said former Act and this Act in Execution, in all Respects, except so far as relates to the Appropriation of the Tolls for the Amendment of the Mile-ways, Stone Bridge, and Avenues thereto, without proving any other Qualification, or taking the above-mentioned Oath; any Thing in the said former Act or this Act, or in any other Law or Statute, to the contrary in anywise notwithstanding.

A. D.
1780-1.
without
any other
Qualifica-
tion.

[Section 45 deals with the procedure for recovering penalties.

Section 46 provides for the payment of the Expenses of procuring the Act.

Section 47 continues the Act 11 Geo. 3. c. 19 so far as not repealed or altered by this Act.

Section 48 declares the Act to be a public Act.]

21^o GEO. III. CAP. LVI.

An Act for granting to His Majesty an additional Duty upon Almanacks printed on One Side of any One Sheet or Piece of Paper; and for allowing a certain annual Sum out of the said Duty to each of the Universities of *Oxford* and *Cambridge*, in lieu of the Money heretofore paid to the said Universities, by the Company of Stationers of the City of *London*, for the Privilege of printing Almanacks.

[Sections 1-9 deal with the duty imposed on sheet almanacks.]

X. And whereas the Power of granting a Liberty to print Almanacks, and other Books, was heretofore supposed to be an inherent Right in the Crown: And whereas the Crown hath, by different Charters, under the Great Seal, granted to the Universities of *Oxford* and *Cambridge*,

Preamble.

A. D.
1780-1.

among other Things, the Privilege of printing Almanacks : And whereas the Universities did demise to the Company of Stationers of the City of *London*, their Privileges of printing and vending Almanacks and Calendars, and have received an annual Sum of One thousand Pounds and upwards, as a Consideration for such Privilege: And whereas the Money so received by them has been laid out and expended in promoting different Branches of Literature and Science, to the great Increase of Religion and Learning, and the general Benefit and Advantage of these Realms: And whereas the Privilege or Right of printing Almanacks has been, by a late Decision at Law,¹ found to have been a common Right, over which the Crown had no Controul, and consequently the Universities no Power to demise the same to any particular Person or Body of Men, whereby the Payments so made to them by the Company of Stationers have ceased and been discontinued; be it therefore enacted by the Authority afore-said, That, from and after the Twenty-fourth Day of *June*, One thousand seven hundred and eighty-one, there shall be issued, paid, and applied, in every Year, out of the Monies which shall arise by the Duty hereinbefore granted, the Sums of Money following, to the Two Universities of *Oxford* and *Cambridge*; that is to say, the Sum of Five hundred Pounds to the University of *Oxford*, and the Sum of Five hundred Pounds to the University of *Cambridge*; which said several and respective Sums of Money shall be, and are hereby charged upon the Duty herein-before granted, and shall be paid thereout yearly and every Year, at the Two usual Feasts; that is to say, the Feast of the Nativity of *Saint John* the Baptist, and the Birth of our Lord *Christ*; the First Payment to be made, on the Feast of the Birth of our Lord *Christ* after passing this Act,² by the Receiver General of His Majesty's Stamp-duties, free and clear of all Fees, Dues, Duties, Taxes, and Deductions whatsoever, unto the Chancellors, Masters, and Scholars,

Out of the Duties granted by this Act, there shall be paid 500*l.* a Year to the University of *Oxford*, and 500*l.* to *Cambridge*;

to be paid half-yearly, at *Midsummer* and *Christmas*.

¹ Stationers' Company v. Carnan, 2 W. Blackstone, 1004.

² The Act received the Royal Assent on the 5th of July, 1781.

of the said Universities of *Oxford* and *Cambridge*, and to be received by the Hands of the Vice-chancellor of each University respectively, or by some Person or Persons duly authorised by each respective Vice-chancellor, under his Hand, to receive the same, to and for the sole Use and Benefit of each of the said Universities; and the Receipt of the Vice-chancellor of each University, or of the Person or Persons duly authorized, as aforesaid, by him to receive the same, shall be a sufficient Receipt to the said Receiver General of the Stamp-duties, and shall be allowed by the Auditor and Auditors of the Imprest, and all other Persons concerned in passing his Accounts, as a full and sufficient Discharge for the making such Payments out of the aforesaid Duty.¹

A. D.
1780-1.

22° GEO. III. CAP. XLVII.

An Act of licensing Lottery Office Keepers, and regulating the Sale of Lottery Tickets.²

A. D.
1781-2.

V. Provided always, and be it further enacted, That no Licence shall be granted for having any such Lottery Office as aforesaid, within the Universities of *Oxford* and *Cambridge*, or either of them; and if any Licence shall be granted for any such Lottery Office within either of the said Universities, it shall be void and of no Effect; and the Person or Persons acting under such Licence shall be liable to the same Penalty as an unlicensed Person.

No Licence to be granted for any Office in *Oxford* or *Cambridge*.

¹ See 44 Geo. 3. c. 98 (*infra*).

² This Act was repealed in 1802 by 42 Geo. 3. c. 54. s. 27 but s. 5 was re-enacted verbatim by s. 33 of the repealing Act. The same clause was repeated in the annual Lottery Acts of 1803, 1804, and 1805, and with merely verbal alterations in subsequent annual Acts down to 1812. It was omitted from the Lottery Acts of succeeding years down to and including the last, that of 1823 (4 Geo. 4. c. 60).

23^o GEO. III. CAP. LVIII.A. D.
1782-3.

An Act for granting to His Majesty several additional and new Duties upon Stamped Vellum, Parchment, and Paper; and also for repealing certain Exemptions from the Stamp-duties.

[Section 1 grants from the 1st of August, 1783, additional stamp duties including the following.]

On every
Admission
into any
Corpora-
tion, &c.
an addi-
tional 2s.

For every Skin or Piece of Vellum or Parchment, or Sheet or Piece of Paper, upon which shall be ingrossed or written any Admission into any Corporation or Company, or any Matriculation in either of the Two Universities, there shall be charged an additional Stamp-duty of Two Shillings:¹

25^o GEO. III. CAP. XLIII.

A. D. 1785. An Act to repeal the Duties on Male Servants; and for granting New Duties on Male and Female Servants.²

[Section 1 repealed the previous duties on male servants, section 3 imposed new duties on male, and section 5 duties on female servants.]

IX.
Not to
extend to
Butlers, &c.
in the Uni-
versities;

Provided also, and be it further enacted, That this Act, or any Thing herein contained, shall not extend to charge with any of the Duties hereby granted, the Butler or Butlers, Manciple, Cook or Cooks, Gardener or Gardeners, or Porter or Porters . . . [the rest of the section follows verbatim the exemption in 17 Geo. 3. c. 39. s. 5 (*supra*).]

¹ Duties amounting to two shillings were previously payable under 5 & 6 W. & M. c. 21 (*supra*) and 9 Will. 3. c. 25 (*supra*). An additional duty was imposed by 37 Geo. 3. c. 90 (*infra*). All these duties were repealed and others substituted by 44 Geo. 3. c. 98 (*infra*).

² The duties imposed by this Act on female servants were repealed by 32 Geo. 3. c. 3; those on male servants were repealed and new duties imposed by 38 Geo. 3. c. 41, under which (s. 7) the same exemptions were allowed; and the Act itself was repealed by 43 Geo. 3. c. 161. s. 84 (*infra*).

26^o GEO. III. CAP. LIX.

An Act for repealing certain Duties now payable on A. D. 1786.
 Wines imported, and for granting new Duties in
 lieu thereof, to be collected under the Manage-
 ment of the Commissioners of Excise.¹

[The Act requires an excise licence to be obtained by
 wholesale dealers in foreign wine.]

XI. And be it further enacted by the Authority afore-
 said, That all and every Person and Persons to whom any
 Licence for retailing of Foreign Wine shall be granted, and
 who shall not take out either a Licence for retailing
 Spirituous Liquors, or a Licence for retailing of Beer, Ale,
 or other Exciseable Liquors, shall be deemed and taken to
 be a Dealer or Dealers in Foreign Wine by Wholesale,
 within the Meaning of this Act; and if any Wine, either
 Foreign Wine, or by the Person or Persons dealing in or
 selling the same pretended to be Foreign Wine, shall at
 any Time be sold by any such Person or Persons, such
 Sale shall be deemed and taken to be a dealing in and
 selling Foreign Wine by Wholesale, within the Meaning of
 this Act; and that all and every Person and Persons having
 a Licence granted to him, her, or them, either for retailing
 of Spirituous Liquors, or for retailing of Beer, Ale, or other
 Exciseable Liquors, shall be deemed and taken to be a
 Dealer or Dealers in Foreign Wine by Retail, within the
 Meaning of this Act: Provided always, That nothing herein-
 before contained shall in anywise be prejudicial to the
 Privileges of the Two Universities in that Part of *Great*
Britain called *England*, or either of them, nor to the Chan-
 cellors or Scholars of the same, or their Successors; but
 that they may use and enjoy such Privileges as they have
 heretofore lawfully used and enjoyed, any Thing herein
 contained to the contrary notwithstanding: . . .

Persons
 taking out
 Licences
 for retail-
 ing Foreign
 Wine, to
 be deemed
 Wholesale
 Dealers, if
 they have
 not Li-
 cences for
 retailing
 Spirituous
 Liquors,
 &c. If
 they have,
 to be
 deemed
 Retail
 Dealers.

Not to ex-
 tend to the
 Two Uni-
 versities.

¹ The Act was superseded by 6 Geo. 4. c. 81 (*infra*) and 7 & 8 Geo. 4. c. 53
 and see s. 33 and s. 127 of those statutes respectively. It has been formally
 repealed by the S. L. R. Act, 1871.

27^o GEO. III. CAP. XIII.

A.D. 1787. An Act for repealing the several Duties of Customs and Excise, and granting other Duties in lieu thereof, and for applying the said Duties, together with the other Duties composing the Publick Revenue; for permitting the Importation of certain Goods, Wares, and Merchandize, the Produce or Manufacture of the *European* Dominions of the *French* King, into this Kingdom; and for applying certain unclaimed Monies, remaining in the Exchequer for the Payment of Annuities on Lives, to the Reduction of the National Debt.¹

[The Act (sections 1, 2, 35, 36) repeals from the 10th May 1787 all customs and excise duties and grants new duties with allowances, bounties, and drawbacks, as set out in Schedules. By sections 5 and 38 the duties and drawbacks are to be levied and allowed, except where alteration is made, in the same manner as the old duties, allowances, bounties, and drawbacks.]

SCHEDULE F.

Duties, Allowances, Bounties, and Drawbacks, of Excise.²

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ALLOWANCES.

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PAPER.

For any Quantities of Paper which shall be used in the Printing any Books in Latin, Greek, Oriental, or Northern Languages, within the Two Universities of Oxford and

¹ The duties imposed by this Act were repealed by 34 Geo. 3. c. 20 (*infra*).

² No drawback is allowed by this or subsequent Acts of the customs duty paid on imported paper.

Cambridge or either of them, by Permission of the Vice A.D. 1787.
Chancellors of the same respectively, the Duties of Excise
by this Act imposed thereon.

For any Quantities of Paper which shall be used in the
Printing any Books in the Latin, Greek, Oriental or
Northern Languages, within the Universities of Scotland
or any of them, by Permission of the Principals of the
same respectively, the Duties of Excise by this Act
imposed thereon.

28^o GEO. III. CAP. XXX.

An Act to enable Justices of the Peace to licence
Theatrical Representations occasionally, under
the Restrictions therein contained.¹

A. D.
1787-8.

[Section I authorizes Justices in general or quarter sessions
to grant occasional licences for theatrical performances
under certain restrictions at any place within their
jurisdiction. Among the restrictions is 'so as such
Place be not . . . within fourteen Miles of either of
the Universities of *Oxford* and *Cambridge*'. . . .

28^o GEO. III. CAP. LXIV.

An Act for the better paving, cleansing, and lighting
the Town of *Cambridge*; for removing and pre-
venting Obstructions and Annoyances; and for
widening the Streets, Lanes, and other Passages
within the said Town.²

¹ See 10 Geo. 2. c. 19. s. 1 (*supra*). This Act was repealed by 6 & 7 Vict.
c. 68. s. 1 (*infra*).

² This Act was amended by 34 Geo. 3. c. 104 (*infra*), the constitution
of the Commissioners being altered by s. 3. The Commissioners became
under the Public Health Act, 1875 (38 & 39 Vict. c. 55), s. 6 (*infra*) the
Sanitary Authority for the Cambridge District, which was coextensive with the
Borough.

By the Cambridge Order 1881, confirmed by 44 Vict. c. xv, ss. 39-42 of this
Act and s. 8 of 34 Geo. 3. c. 104 were repealed and all words referring to the
tolls thereby authorized were ordered to be omitted from those Acts. By Art.

A. D.
1787-8.
Preamble.
35 *Hen.*
VIII, Cap.
15.¹

Commis-
sioners.

WHEREAS an Act of Parliament was made and passed in the Thirty-fifth Year of the Reign of his late Majesty King *Henry* the Eighth, intituled, *An Act for paving of Cambridge*: And whereas the Powers granted by the said recited Act have been found defective and insufficient to answer the Purposes thereby intended: And whereas the Streets, Lanes, and Alleys, Publick Passages, and Ways of the Town of *Cambridge*, in the County of *Cambridge*, are ill cleansed and lighted, and also very narrow and incommodious, from many Nuisances and Annoyances, as well as from various Projections and Incroachments; and the Pavements of the said Town are extremely irregular, defective, and out of Repair: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That, from and after the Twentieth Day of *May*, in the Year of our Lord One thousand seven hundred and eighty-eight, the following Magistrates and Officers for the Time being of the University of *Cambridge*, and of the Colleges and Halls therein, (to wit,) the Chancellor, High Steward, Representatives in Parliament, the Vice Chancellor, or his Deputy, all the Heads or Governors of Colleges or Halls, or in their Absence their respective Deputies or *Locum tenentes*, and the Commissary, or in his Absence his Deputy, and also the following Magistrates and Persons of the Corporation of *Cambridge*, (to wit,) the High Steward, Recorder, or his Deputy, Representatives in Parliament, and the Mayor or his Deputy, and the Aldermen for the Time being, together with Sir *John Hynde Cotton* Baronet, *Francis Dickins*, *Charles Cotton*, *Henry Poynter Standly*, *Stephen Lushington* Clerk, *William Vachell*, *Richard Greaves Townly*, XIV of the Cambridge Order 1889 confirmed by 52 & 53 Vict. c. cxvi (*infra*) the unrepealed provisions of this Act except ss. 63, 74, 76, 77, 87, 88, 89, 92, and 101 were repealed and it was enacted that those sections should apply to the Corporation instead of the Commissioners.

¹ *supra*.

Ebenezer Hollick junior, Nathaniel Wedd, Joseph Beldam, Edmund Fisher Clerk, Hale Wortham, Benjamin Keene, Henry Allen Lagden Clerk, Samuel Knight, Busick Harwood, Henry Turner Clerk, Thomas Parkinson Clerk, Richard Eaton, and Jeremy Pemberton Clerk, shall be, and they are hereby appointed Commissioners for putting this Act, and the several Powers herein contained, in Execution.

A. D.
1787-8.

[Sections 2-4 provide for the election of Commissioners, by the parishes and for the filling of vacancies of Commissioners who are not such *ex officio*, nor elected by the parishes.]

V. Provided always, and be it further enacted, That no Person shall be capable of acting as a Commissioner in the Execution of this Act, unless he shall be in his own Right, or in the Right of his Wife, in the actual Possession or Receipt of the Rents and Profits of Lands, Tenements, or Hereditaments, of the clear yearly Value of Forty Pounds, or possessed of or entitled to a Personal Estate of Eight hundred Pounds; and if any Person, not being so qualified shall presume to act, every such Person shall, for every such Offence, forfeit and pay the Sum of Fifty Pounds to any Person or Persons who shall sue for the same; to be recovered in any of His Majesty's Courts of Record, by Action of Debt, or on the Case, or by Bill, Suit, or Information, wherein no Essoin, Protection, or Wager of Law, or more than One Imparlance, shall be allowed; and every Person so prosecuted shall prove that he is qualified as aforesaid, or otherwise shall pay the said Penalty, on Proof given of his having acted as a Commissioner in the Execution of this Act.

Qualifica-
tion of
Commis-
sioners.

Penalty on
acting not
being duly
qualified.

[Section 6 prescribes an oath to be taken by all the Commissioners that they will duly execute their powers and authorities, and an oath to be taken by the parish Commissioners that they possess the required property qualifications.

Section 7 provides for filling vacancies of parish Commissioners. Section 8 disqualifies retailers of ale wine or spirituous or fermented liquors from being Commis-

A. D.
1787-8.

sioners or officers for executing the Act. Sections 9-22 contain various provisions for the conduct of the business.

Section 23 empowers the Commissioners to raise money 'by a Rate not exceeding One Shilling in the Pound for each Year, upon the several Tenants or Occupiers of all Houses, Buildings, Gardens, Tenements, and Hereditaments, within the said Town, according to the annual Value of the same respectively', such value being determined by the assessment of them to the Poor Rate, and concludes with the following proviso.]

Provided also, That nothing in this Act contained shall extend, or be construed to extend, to subject the Chancellor, Masters and Scholars of the University aforesaid, to pay any Rates or Assessments for, or in Consideration of, the Botanick Garden in the said University.

[Sections 24-36 all relate to rating.

Rates to
be borne
between
Landlords
and
Tenants.

Section 25 enacts that 'One Third Part of the said Rates or Assessments shall be borne and defrayed by the respective Landholders, and Two Third Parts thereof by the respective Tenants or Occupiers'.]

Not to
make void
any Con-
tract
between
Landlord
and
Tenant.

XXVI. Provided always, and be it further enacted, That nothing herein contained shall be deemed or taken to make void any Contract, Covenant, or Agreement, between any Landlord and Tenant, touching or concerning the repairing any of the Pavements in the Streets, and other Places, within the said Town: And the Lessees of Colleges or Halls to the University Estates in the said Town, shall, in all Cases, be deemed the Landlord, for the purposes of this Act.

[Section 33 enacts, that in case any tenant shall remove before payment of Rates, or shall not have sufficient goods and chattels to defray them, or in case any rated premises shall be empty and untenanted, then the premises shall be chargeable with one third part only of such Rates, and this may be recovered from the Owner or Owners.]

XXXIV. And whereas some Doubts may hereafter arise who shall be deemed the Owner or Owners of the several Houses, Buildings, Yards, Lands, Tenements, and Hereditaments in the said Town, for the Purposes and within the true Intent and Meaning of this Act; for removing whereof, be it further enacted, That neither the Chancellor, Masters, and Scholars of the University, nor any College or Hall, nor the Mayor, Bailiffs, and Burgesses of the Town of *Cambridge*, or any other Person or Persons, shall, on account of any Ground Rent or other Acknowledgement, Sum or Sums of Money, in Nature of a Ground Rent or Rents issuing out of or payable for any Messuage, Yard, Garden, Land, Tenement, or Hereditament in the said University and Town, or on account of their Reversion or Interest of or in the Messuage, Yard, Garden, Land, Tenement, or Hereditament for which such Ground Rent, Acknowledgement, Sum or Sums of Money shall be payable, be considered, deemed, taken or adjudged to be the Owner or Owners, Proprietor or Proprietors of such Messuage, Yard, Garden, Lands, Tenements, or Hereditaments; but the Lessee or Lessees of the said Chancellor, Masters, and Scholars, of the said University, or of any College or Hall, or of the said Mayor, Bailiffs, and Burgesses, or of such other Person or Persons, or their Assigns, shall, during the Existence of the Term for which such Messuage, Yard, Garden, Lands, Tenements, or Hereditaments, shall be demised, be considered, deemed, taken, and adjudged, for all and every the Purposes of this Act, to be the Owner or Owners, Proprietor or Proprietors of such Messuage, Yard, Garden, Lands, Tenements, or Hereditaments; and shall, during such Term, bear and pay all Expences and Impositions whatsoever, by force or virtue hereof to be borne or defrayed by the Owner or Owners, Proprietor or Proprietors of the said Messuage, Yard, Garden, Lands, Tenements, and Hereditaments; any Thing in this Act contained to the contrary thereof in anywise notwithstanding.

A. D.
1787-8.
Who shall
be deemed
Owners.

[Section 37 provides for cases of dispute concerning wages of labourers employed, and section 38 for complaints of defective pavements,

A. D.
1787-8.

Sections 39-42 empower the Commissioners to raise money by Tolls.¹

Sections 43-47 empower them to raise money, not exceeding £6000 in the whole, by mortgage or by life-annuities, such annuities being by section 44 exempted from land-tax.

Sections 48 and 49 enable the Commissioners to purchase any houses, shambles, buildings, grounds, and estates within the Town.]

Owners of
Houses,
Shambles,
Stalls, &c.
empowered
to sell the
same.

L. And be it further enacted, That it shall and may be lawful to and for all Persons whatsoever, Bodies Politick, Corporate or Collegiate, Corporations Aggregate or Sole, who are or shall be seised or intitled in their own Right, Trustees, and Feoffees in Trust, Femes Covert, Guardians, and Committees for Lunaticks and Idiots, Executors and Administrators, and Guardians whatsoever, not only in behalf of themselves, their Heirs and Successors, but also for and in behalf of their Cestuique Trusts, whether Infants or Issue unborn, Lunaticks, Idiots, Femes Covert, or other Persons whatsoever, who are or shall be seised or possessed of, or interested in any such Houses, Shambles, Buildings, Grounds, or Estates, to contract for, sell, convey, or surrender to the said Commissioners, or any Five or more of them, or to any Person or Persons they shall appoint in Trust for them, all or any such Houses, Shambles, Buildings, Grounds, or Estates, or any Part thereof, or any Term for Years, or any Estate or Interest therein; and that all such Contracts, Agreements, Bargains, Sales, Assignments, Surrenders, and other Conveyances, which shall be so made as aforesaid, shall be good and valid in Law, to all Intents and Purposes whatsoever, not only to convey the Estate of the Person or Persons conveying, but also all Right, Estate, Interest, Use, Property, Claim and Demand whatsoever, of their several and respective Cestuique Trusts, whether

¹ By 9 & 10 Vict. c. cccxlv (since repealed by Art. XIV of the Cambridge Order, 1889, confirmed by 52 & 53 Vict. c. cxvi (*infra*)), the Eastern Counties Railway Company was charged with a yearly payment of £1000 to the Commissioners in lieu of all Tolls levied under this Act or under 34 Geo. 3. c. 104.

Infants, or Issue unborn, Lunaticks, Idiots, Femes Covert, or other Persons whatsoever, and all Persons claiming or to claim by, from, or under them ; any Law, Statute, or Usage to the contrary thereof in anywise notwithstanding.

A. D.
1787-8.

LI. Provided always, That all the Money to be paid for any such Houses, or other Buildings, or Land, which shall be purchased of any Body Politick, Corporate or Collegiate, Corporation Aggregate or Sole, Trustees, Feoffees, Husbands, Guardians, or Committees, shall be lodged in some of the Publick Funds, in the Names of such Persons as they shall respectively nominate and appoint ; and the Dividends and Interest thereof shall be applied to or for the Use of the respective Persons who would, in case such Purchase had not been made, have been entitled to the Rents and Profits of the Houses, Buildings, or Land, so to be purchased as aforesaid, until such Purchase-money can be invested in the Purchase of other Lands, Tenements, or Hereditaments, which shall be conveyed and settled upon, and subject to, the like Uses, Trusts and Limitations, as the Houses or other Buildings, or Land, to be purchased for the Purposes of this Act, as aforesaid, were respectively settled, limited, or assured.

Purchase
Monies
to be paid
for Houses
belonging
to Bodies
Politick,
&c. to be
invested in
the Funds
till it can
be laid out
in the Pur-
chase of
other
Lands.

[Sections 52-57 provide for assessing compensation by a jury in default of agreement, for conveyances, and for taking possession.

Section 53 requires that for the purpose of assessing compensation 'an indifferent Jury of Forty-eight Persons, (of whom, in Cases where the University is concerned, or any College or Hall therein, at least One Half of the Pannel shall be Members of the same University, not under the Degree of Bachelor of Arts') are to be returned, from whom twelve are to be selected by drawing.

Section 58 vests in the Commissioners the property of all pavements, sewers, drains, or watercourses in the streets, lanes, and other public passages and places in the Town, and of all lamps and lamp-posts.

Section 59 empowers the Commissioners to alter and

A. D.
1787-8.

improve all public pavements, sewers, and drains, and to cause all streets, lanes, and public passages and places to be cleansed and lighted, and all nuisances and encroachments to be removed.]

Nothing in
this Act
to extend
to any
College
Courts.

LX. And be it further enacted, That nothing herein contained shall extend, or be construed to extend, to the Inside of any Court or other Place within any College or Hall in the said Town of *Cambridge*, or within the Scite or Walls thereof.

[Sections 61-67 empower the Commissioners to make contracts for paving and other works, to dig gravel, and to regulate private drains.]

Footpaths
swept
every Day
except
Sundays.

LXVIII. And be it further enacted, That all and every Person or Persons inhabiting within the said Town, shall, as soon as the Foot Pavement in Front of, or adjoining to, such Houses and other Tenements respectively, is, by virtue of this Act, made and completed, sweep and cleanse, or cause to be swept and cleansed, the Footpaths or Pavement extending at least Four Feet before their respective Houses, Buildings, and Walls, between the Hours of Six and Ten in the Forenoon (*Sundays* excepted), upon Pain of forfeiting Five Shillings for every Neglect therein: Provided always, That the Paths or Foot Pavements adjoining or belonging to any Publick Building belonging to the said University, or any College or Hall within the same, shall be swept and cleansed by the said University, or by such College or Hall respectively, in like Manner, and under the like Penalties, as the Inhabitants of the Town are compelled to sweep before their Doors.¹

Penalty.

[Sections 69-73 contain provisions for scavenging.]

Penalty on
breaking or
damaging
Lamps, by
matricu-
lated or
other Per-
sons.

LXXIV. And be it further enacted by the Authority aforesaid, That if any matriculated Person or Persons, or Member or Members of any College or Hall in the said University, shall wilfully break, throw down, or otherwise damage, any of the Lamps which shall be erected by virtue of this Act, or any of the Posts, Irons, or other Furniture thereof, and Complaint shall be made by the Commissioners

¹ Section 68 was repealed by 34 Geo. 3. c. 104. s. 20 (*infra*), and other provisions substituted.

appointed by this Act, or their Surveyor, to the Vice Chancellor or his Deputy, against such Person or Persons, the said Vice Chancellor, or his Deputy, shall, and he is hereby required to summon the Party or Parties so complained of, to appear before him, and shall proceed to examine upon Oath any Witness or Witnesses who shall appear, or be produced, to give Information touching such Offence (which said Oath the said Vice Chancellor, or his Deputy, is hereby impowered to administer): And if the Party or Parties so complained of shall be convicted of such Offence, either by his or their own Confession, or upon such Information as aforesaid, he or they shall be sentenced, over and above any Academical Punishment, to pay to the Commissioners, or their Surveyor, the full Amount of the Damages by him or them done as aforesaid: And in case such Offender or Offenders shall refuse to pay the Amount of such Damages, the Tutor of the College of which the Offender shall be a Member, shall be answerable for the same. . . .

A. D.
1787-8.

[The remainder of section 74 provides for the punishment of any person guilty of the like offences, 'not being matriculated, or a Member of any College or Hall in the said University.'

Section 75 imposes a penalty of ten shillings for killing beasts and committing other specified nuisances in the streets.¹

Sections 76-86 give the Commissioners powers to prevent certain specified nuisances and encroachments.]

LXXXVII. And whereas many Houses, Edifices, Shops, and Warehouses within the said University and Town belong to Bodies Corporate, and are irregularly built, and by reason of their contingent Tenure are frequently suffered to fall into a ruinous State, be it therefore enacted, That it shall and may be lawful for any Body Corporate or Collegiate, Aggregate or Sole, to alienate and sell for ever any Tenements or Hereditaments, and the Scite thereof, with

Colleges
and Cor-
porations
impowered
to sell
Houses,
&c.

¹ Section 75 was repealed by 34 Geo. 3. c. 104. s. 23 (*infra*), and other provisions substituted.

A.D.
1787-8.

their Appurtenances, standing or being within the University and Town of *Cambridge*: Provided, that all and every Sum and Sums of Money, to be paid to any Body Corporate or Collegiate, Aggregate or Sole (except the Corporation of the Town of *Cambridge*), for the Purchase of such Houses, Tenements, or Hereditaments, be lodged in any of the Publick Funds, in the Names of the Three Royal Professors of Divinity, Law, and Physick, for the Time being within the said University, in Trust, for the Use of the said Body Corporate or Collegiate, Aggregate or Sole for Houses belonging to such Body Corporate or Collegiate, as aforesaid; ¹ and for Houses, Tenements, and Hereditaments belonging to the Corporation, in the Name of the Mayor, Bailiffs, and Burgesses, to be by them laid out in the Purchase of Lands and Hereditaments without the University and Town of *Cambridge*, or otherwise, settled and appropriated for such Uses and Trusts as the Houses, Tenements, or Hereditaments so sold by such Corporation, College, or Body Corporate, were settled and limited at the Time of such Sale so made.

Money to
be laid out.

LXXXVIII. And be it further enacted, That all and every Sum and Sums of Money to be paid to any Person, Body Politick, Corporate, or Collegiate, Corporation Aggregate or Sole, Feoffee or Feoffees in Tail, Guardian, Committee, or other Trustee or Trustees, in pursuance of this Act, shall be by them respectively laid out in the Purchase of Lands, Tenements, and Hereditaments, and settled to, upon, and subject to such Titles, Uses, Trusts, Limitations, Remainders, and Contingencies as the said Lands and Premises, so to be purchased by the said Commissioners as aforesaid, were settled, limited, and assured, at the Time of such Sale so made, respectively, or as near as the same can be settled, limited, and assured, and shall and may be held and enjoyed accordingly.

LXXXIX. And it is hereby further enacted and declared,

¹ By 34 Geo. 3. c. 104. s. 25 (*infra*) the name of the Master of the College alienating or selling under this section is to be added to the names of the three Royal Professors, in order to prevent the blending of money belonging to different Colleges in one account in the Funds.

That all and every Sum and Sums of Money is to be paid to any Body Politick, Corporate or Collegiate, Corporation Aggregate or Sole, Feoffee or Feoffees in Trust, Guardian, Committee, or other Trustee or Trustees in pursuance of this Act, shall be by them respectively laid out in the Purchase of Lands, Tenements, and Hereditaments, and settled to and upon, and subject to such Titles, Uses, Trusts, Limitations, Remainders and Contingencies as the said Lands and Premises so to be purchased by the said Chancellor, Masters, and Scholars, and the said Mayor, Bailiffs, and Burgesses, or other Body Corporate as aforesaid, were settled, limited, and assured at the Time of such Sale so made, respectively, and shall and may be held and enjoyed accordingly.

A. D.
1787-8.
Purchase
Money of
Trust
Estates to
be laid out
again.

[Sections 90-94 contain provisions concerning penalties and prosecutions, for the cesser of rents paid to the Corporation for buildings lands or tenements removed or dealt with under the Act, for exemption from tolls on the Cam or in the town of materials brought in to be used for the purposes of the Act, and for payment of expenses of actions or prosecutions out of the rates.]

XCV. And be it further enacted, That if, at any Time hereafter, the said Mayor, Bailiffs, and Burgesses of the said Town of *Cambridge*, shall, for the Accommodation of the Inhabitants of the said Town, make and erect, or cause to be made and erected, a publick Market, with Shambles or other Conveniencies for the Sale of Goods and Victuals in any other Place or Places within the said Town than where the Markets are now usually kept or held, then and in such Case it shall not be lawful for any Person or Persons whomsoever to expose to sale any Goods, Victuals, or other Commodities whatsoever, in any other Part or Parts of the Town or Place than shall be so made, erected, or set out as and for a Market-place, other than in their own Shops, Houses, Warehouses and Yards within the said Town, under the Forfeiture of paying, for every Offence, the Sum of Forty Shillings; to be recovered in like Manner as the Penalties are herein-after directed to be recovered.

Corpora-
tion may
hereafter
alter the
Market
Place.

A. D.
1787-8.
Reserva-
tion of the
Right of
the Uni-
versity to
superin-
tend and
regulate
the Mar-
kets.

XCVI. Provided, That nothing herein contained shall extend, or be construed to extend, to take away the Right of the said Chancellor, Masters, and Scholars, to govern, regulate, and superintend the same, as heretofore accustomed, with respect to the ancient Market-place or Places, or to take away the Right of the said Mayor, Bailiffs, and Burgesses of the Tolls as have been heretofore paid to them or their Toll-gatherer; but the same respectively shall remain and belong to the said Chancellor, Masters, and Scholars, and the said Mayor, Bailiffs, and Burgesses severally, as before the passing of this Act; and the said Chancellor, Masters, and Scholars, and Mayor, Bailiffs, and Burgesses respectively, shall and may prescribe and have such Remedies for the same, in such New Market, as they could have and were intitled to in the Places where the ancient Markets were usually or commonly held.

[Section 97 provides for the holding of fairs; section 98¹ prohibits the shewing of stallions in the streets; and section 99 authorizes the Commissioners to direct houses to be numbered and names of streets to be put up.]

Recom-
pence to
be made
for Damage
done to or
by Water-
pipes.

C. Provided always, and be it further enacted, That if by the new paving or repairing any of the said Streets, Lanes, Passages, or Places, any Damage or Injury shall be done to any Pipes, the Property of the Feoffees of *Hobson's Charity*, such Damage or Injury shall be made good as soon as the Circumstance of the Case will admit, and the Expence thereof paid by the Person or Persons who shall occasion such Damage or Injury; and in case of Neglect to pay such Expence upon Demand, the same shall and may be levied and recovered in like Manner as the Rates or Assessments to be laid by virtue of this Act, can or may be levied and recovered; and in case any Damage or Injury shall happen to the Pavement in any of the said Streets, Lanes, Passages, or Places, by the Failure of repairing, or for the Purpose of repairing, any of the said Water-pipes, such Injury shall be made good as

¹ Section 98 was repealed by 34 Geo. 3. c. 104. s. 23 (*infra*).

soon as the Circumstances of the Case will admit ; and such Repairs shall be done and performed by such Person or Persons as shall be appointed by the said Commissioners, or any Five or more of them, and the Expence thereof paid by the said Feoffees or other Owners thereof ; and in Default of such Payment upon Demand, such Expence shall be recovered from such Feoffees in like Manner as the said Rates or Assessments can or may be recovered.

A. D.
1787-8.

CI. And, in order to enable the said Commissioners to prevent any Injury to the Pavement of the said Streets, Lanes, and other publick Passages of the said Town, by the overflowing of the Water from *Hobson's Conduit*, be it further enacted by the Authority aforesaid, That the said Commissioners, or any Five or more of them, shall and they are hereby authorised and impowered to order and direct Pipes, Cocks, and Stop Cocks, of such Bore as to the said Commissioners, or any Five or more of them, shall seem proper and necessary, to be affixed to the said Conduit called *Hobson's Conduit*, for the Purposes of the Act aforesaid ; and also from Time to Time to order and direct the Watercourse which supplies the said Conduit with Water (the Pipes from the Conduit Head to *Hobson's Conduit* alone excepted), to be repaired, amended, and improved ; and if at any Time it shall appear to the said Commissioners, or any Five or more of them, that the Fund appropriated to the Support and Maintenance of the said Conduit is insufficient to defray the Expence of fixing such Pipes, Cocks, and Stop Cocks as aforesaid, or if it shall appear to the said Commissioners, that there is no Fund appropriated for the Support and Maintenance of the said Watercourse, or any Branch thereof ; or that such Fund is insufficient for the Purposes of repairing, amending, or improving, the said Watercourse, or any Branch thereof ; it shall and may be lawful for the said Commissioners, or any Five or more of them, to direct that such Deficiency shall be paid and defrayed by and out of the Monies arisen, or to arise, by the Rates, Assessments, Tolls, and Duties, rated, assessed, and made payable by this Act ;

Water
flowing
from
Hobson's
Conduit
to be regu-
lated.

A. D. 1787-8. any Thing herein contained to the contrary thereof in any wise notwithstanding.¹

[Sections 102-107 contain provisions as to legal proceedings.]

35 *Hen.*
VIII, Cap.
15,² re-
pealed. CVIII. Provided always, and it is hereby enacted and declared, That nothing in this Act contained shall extend, or be construed to extend, to revive an Act made in the Thirty-fifth Year of the Reign of King *Henry* the Eighth, for paving and cleansing the said Streets, or any of the Powers, Provisions, Clauses, and Matters therein contained, but the same shall and is hereby declared to be repealed and made void.

Saving
Clause for
the Rights
of the Uni-
versity. CIX. Provided also, and it is hereby further enacted, That nothing in this Act shall extend, or be deemed or construed to extend, to take away, diminish, or impede the Exercise of any Privilege or Right whatsoever of the said University or Corporation, or of any Persons being Members of the same, or of any of the Magistrates, Officers, Ministers, or Servants thereunto belonging, or of the Mayor, Bailiffs, and Burgesses of the Corporation of *Cambridge*.

[Section 110 saves all rights of the Mayor Bailiffs and Burgesses to collect Tolls.]

Proportion of the
Monies to be raised
by the Uni-
versity and Town
for the first Pave-
ments
&c. to be
settled. CXI. And for raising Money towards answering and defraying the Charges and Expences of passing this Act, and for further carrying the same into Execution, be it further enacted, That the said Commissioners, or any Five or more of them, at a Meeting to be held for that Purpose, shall, and they are hereby authorized and required, annually, or as often as they shall judge necessary, to ascertain the Sum or Sums of Money which may be wanted, for the Purposes of defraying the Expences of passing this Act, and for widening, improving, new paving, and fixing Lamps in the several Streets, Lanes, and Alleys, publick Passages and Ways of the Town of *Cambridge*, and for doing all other Works necessary to the Execution of this Act; and within

¹ For other enactments with regard to Hobson's Conduit and the springs and watercourses which supply it see (*infra*) 47 Geo. 3. Sess. 2. c. 60. s. 31, 52 Geo. 3. c. 141. ss. 43, 44, 4 Will. 4. c. 3. ss. 23-27, 7 & 8 Vict. c. lxii. ss. 189, 190, and 16 Vict. c. xxiii. s. 24.

² *supra*.

Two Days after such Sum shall have been so agreed upon, give Notice thereof, specifying the Sum or Sums, to the Vice Chancellor of the University, and to the Mayor of the said Town, in Writing under the Hands of Five or more of them, to be delivered to the Vice Chancellor and Mayor, or left at their respective Places of Abode; Two Fifths of which respective Sum (such Sum being into Five Parts equally divided) shall be paid by or on Account of the said University, in Manner herein-after directed; and One Twelfth of the remaining Three Fifth Parts shall be paid by, or on account of the Corporation of the said Town, in the Manner herein-after directed; and the remaining Part of the Sum so ascertained, the said Commissioners are hereby authorised and impowered to borrow, on the Security of the Tolls herein granted, and on the Rates and Assessments to be levied on the several Tenants and Occupiers of all Houses, Buildings, Gardens, Tenements, and Hereditaments, within the said Town, as herein mentioned.

A. D.
1787-8.

CXII. And be it further enacted, That the said Chancellor, Vice Chancellor, Masters or Heads of the several Colleges or Halls within the said University, shall and are hereby authorised and impowered to borrow any Sum or Sums of Money not exceeding in the Whole the sum of Four thousand Pounds, on their Part or Quota of the Rates and Assessments for defraying of the Expences of carrying this Act into Execution; and such Security shall be signed by the Vice Chancellor for the Time being, and Five at the least of the other Masters or Heads of the Colleges or Halls in the said University.

University
may
borrow
Money.

CXIII. And for raising Money towards answering and defraying the annual Charges and Expences of repairing, cleansing, and lighting the several Streets within the said Town, be it further enacted, That the said Commissioners, or any Five or more of them, at a Meeting to be held for that Purpose, shall and are hereby authorised and required, annually, or as often as they shall judge necessary, to ascertain the Sum or Sums wanted for the Purposes aforesaid; and within Two Days after such Sum shall have

Proportion
of annual
Sums for
Paving,
&c. to be
raised by
the Uni-
versity and
Town, to
be settled.

A. D.
1787-8.

been agreed upon, give Notice thereof, specifying the Sum or Sums, to the Vice Chancellor of the University, and to the Mayor of the said Town, in Writing under the Hands of any Five or more of them ; Two Fifths of which Sum (such Sum being in Five equal Parts divided) shall be paid by or on Account of the said University, in Manner herein mentioned ; and Ten Pounds of such annual Sum to be paid by or on Account of the said Corporation, and the remaining Part of such annual Sum to be paid by and out of the Money to be raised by Tolls herein granted, and Rates and Assessments herein directed to be levied on the several Tenants or Occupiers of all Houses, Buildings, Gardens, Tenements, and Hereditaments, within the said Town.¹

How the
sums to
be raised
by the
University
are to be
recovered.

CXIV. And be it further enacted by the Authority aforesaid, That the Chancellor or Vice Chancellor, and Masters or Heads of the several Colleges and Halls within the said University, or, in their Absence, their Deputies or *Locum Tenentes*, shall, and they are hereby required to meet upon Summons of the Vice Chancellor, within Seven Days after Notice aforesaid (which Summons the said Vice Chancellor is hereby required to issue), and make, or cause to be made, an Account of such Sum or Sums of Money, as they shall deem the Quota or Proportion of the Sum to be paid out of the University Chest, for the Pavement and other Works to be done, under this Act, belonging to the University, and of the Quotas or Proportions of the different Colleges and Halls ; which said respective Sums so assessed, shall amount to Two Fifths as aforesaid : And in case the Chancellor, Vice Chancellor, and Heads of Colleges or Halls in the said University, or, in their Absence, their Deputies or *Locum Tenentes*, shall neglect or refuse to meet, and make or cause to be made an Assessment of the different Quotas or Proportions of the said Two Fifth Parts, to be paid as the Share of the said University and several Colleges and Halls as aforesaid, for the Space of Fourteen Days after Notice delivered to the Vice Chancellor as aforesaid,

¹ By the Cambridge Award Act, 1856 (19 & 20 Vict. c. xvii) s. 50 (*infra*) the quota payable by the University under this section was reduced to one fourth.

then, and in such Case, the said Vice Chancellor is hereby authorised and required to make out such Assessment himself, and deliver or cause to be delivered a Copy thereof to the Collector who shall or may be appointed, by virtue of this Act, to collect and receive the Monies for the carrying the same into Execution, and shall demand of the Vice Chancellor, and of the Bursar of each College or Hall in the said University, Payment of the Sum or Sums so assessed by the said Vice Chancellor upon the said University, and the several Colleges and Halls aforesaid: and upon Nonpayment thereof, or in case the said Vice Chancellor, or any of the said Bursars, shall neglect or refuse, for the Space of Fourteen Days after Demand thereof made, to pay the said Sum or Sums so respectively assessed as aforesaid, then the said Vice Chancellor is hereby required, upon Complaint made by the Collector of such Neglect or Refusal, to issue a Warrant of Distress under his Hand and Seal, to seize and take any of the Goods and Chattels of the said University, or the several Colleges or Halls aforesaid, and, if the Sum so assessed is not paid within Three Days, to cause the same to be sold, and after Payment of the Demand or Assessment, together with all Charges attending the seizing, detaining, and selling the same, to return the Overplus to the said Vice Chancellor or Bursar, in whose College such Distress was made as aforesaid: And in case the said Vice Chancellor shall neglect or refuse to proceed in the Manner herein-before directed, for the Space of Seven Days after the Expiration of the respective Times aforesaid, then it shall and may be lawful for the said Commissioners, or any Five or more of them, to proceed in like Manner as the said Vice Chancellor is hereby authorised and required to do, and levy the Amount on the Goods and Chattels of the said University, or College, or Hall, as herein-before mentioned.

CXV. And it is hereby also enacted, That One Twelfth Part of the remaining Three Fifth Parts of the Sum or Sums of Money ascertained for the First Expence of paving the said Town, shall be paid and defrayed by the Mayor,

A. D.
1787-8.

Remaining
Proportion
to be raised
by the
Town.

A. D.
1787-8.

Bailiffs, and Burgesses of the said Town, to be applied to the Purposes of this Act ; and in case of Refusal to pay the same within Seven Days after the next Common Day after the same shall be demanded, it shall be lawful for the said Commissioners to cause the same to be levied by Distress and Sale of the Goods and Chattels of the said Mayor, Bailiffs, and Burgesses, rendering the Overplus (if any be), after deducting the Costs and Charges of making such Distress and selling the same ; and the said Mayor, Bailiffs, and Burgesses shall yearly and every Year, for ever afterwards, pay to the said Commissioners, for the Purposes of this Act, the Sum of Ten Pounds, to be recovered and levied in Manner aforesaid ; and such Payments so to be made by the said Mayor, Bailiffs, and Burgesses, shall be deemed and taken to be a full Equivalent and Satisfaction for the paving, repairing, cleansing, and lighting such Part of the Streets, Lanes, and Ways belonging to the said Mayor, Bailiffs, and Burgesses, who are and shall be exonerated and discharged from such paving, repairing, cleansing, and lighting for the future.

[Section 116 declares the Act to be a public Act.]

30^o GEO. III. CAP. XXXVIII.

A. D. 1790. An Act for repealing the Duties upon Licences for retailing Wine and Sweets, and upon Licences for retailing distilled Spirituous Liquors, and for granting other Duties in lieu thereof.¹

[Section 1 repeals inter alia the duties on wine licences imposed by 9 Anne c. 16 [c. 23., Ruff.] (*supra*) and 30 Geo. 2. c. 19 (*supra*). New duties are imposed by the Act, and licences for retailing wine are to be granted by the Commissioners of Excise or their Collectors and supervisors.]

¹ The duties imposed by this Act were repealed by 6 Geo. 4. c. 81 (*infra*), and see s. 33 of that Act. This Act was formally repealed by the S. L. R. Act, 1871, except part of s. 15 which was repealed by 43 & 44 Vict. c. 24. s. 164.

XI. Provided always, that nothing herein-before contained shall in any wise be prejudicial to the Privileges of the Two Universities in that Part of *Great Britain* called *England*, or either of them, nor to the Chancellors or Scholars of the same, or their Successors, but that they may use and enjoy such Privileges as they have heretofore lawfully used and enjoyed; any Thing herein-before contained to the contrary notwithstanding.

A. D. 1790.
Not to
prejudice
the Privi-
leges of
the Two
Universi-
ties.

30^o GEO. III. CAP. XLV.

An Act for converting certain Annuities, to be attended with the Benefit of Survivorship in Classes, established by an Act of the last Session of Parliament, into certain Annuities for an absolute Term of Years; and for enabling the Commissioners of the Treasury to nominate Lives for the Shares so converted.

[The Preamble recites 29 Geo. 3. c. 41 which had created annuities payable during the lives of the nominees of the holders, which lives were arranged in classes according to age, the amount of an annuity purchaseable for £100 5s. *od.* varying with the class, and benefit of survivorship being allowed within each class. The Act requires the Auditor of the Exchequer to substitute, if requested by a contributor on or before the 20th of September, 1790, an annuity for a fixed term of sixty-nine years and a quarter, at the rate of £4 5s. *od.* *per annum* for every entire sum of £100 5s. *od.* paid, and in such case to nominate a life reserve annuity in respect thereof, and take the benefit of survivorship in place of the contributor. By section 13 the lives are to be selected by the Treasury from certain classes of persons, peers, baronets, justices of the peace, and among others 'Spiritual Persons, respectively promoted to any Bishoprick, Deanry, Archdeaconry, Prebend, or other Dignity

A. D. 1790,

in any Cathedral, or other Church, or beneficed with any Parsonage, Vicarage, or Donative in *England*, or a Fellowship in any College or Hall of either of the Universities of *Oxford* or *Cambridge*.'

Section 16 provides that if at the Time when any half-yearly Payment shall become due the nominees shall be resident at either of the said Universities, or at any School or other Seminary of Learning, a certificate of his life or death by the Principal Rector, Warden or Master of the College, Hall, School, or other Seminary shall be sufficient warrant for setting apart and reserving the said half-yearly payments in respect of such nominees.]

30^o GEO. III. CAP. XCIV.

An Act for enlarging the Term of several Acts made for repairing the Roads from *Stump Cross* to *Newmarket Heath*, and from *Stump Cross* aforesaid, to the End of the Town of *Trumpington* next to *Shelford*, and from *Shelford Pound* to *Wittlesford*; and for making more effectual Provision for repairing the said Roads, and also One Mile of the Road between *Trumpington* and *Cambridge*, commencing at the South End of *Trumpington* aforesaid; and for amending the Road from *Chesterford Bridge* to the End of *Wittlesford* next to *Shelford*, all in the County of *Cambridge*.

[Section I repeals 10 Geo. I. c. 12 (*supra*), 11 Geo. I. c. 14 (*supra*), 3 Geo. 2. c. 37 (*supra*), 15 Geo. 2. c. 16, 28 Geo. 2. c. 36 and c. 17 so far as they relate to the Roads leading from *Stump Cross* to *Newmarket Heath* and to the End of the Town of *Trumpington* next to *Shelford* and from *Shelford Pound* to the end of the Town of *Wittlesford* next to *Shelford*; and provides that this Act shall be in force for the residue of the terms

granted by those Acts and twenty-one years from A. D. 1790. their expiration and from thence to the end of the then next Session of Parliament.¹

Section 2 appoints certain named persons and 'the Vice Chancellor of the University of *Cambridge* for the Time being, the Heads of the Colleges for the Time being, the Justices of the Peace for the County of *Cambridge* for the Time being, and the Mayor of the Town of *Cambridge* for the Time being' trustees for executing the Act.

Section 3 imposes a property qualification on the trustees.

Section 43 declares the Act to be a public Act.]

31^o GEO. III. CAP. XXXII.

An Act to relieve, upon Conditions, and under Restrictions, the Persons therein described, from certain Penalties and Disabilities to which Papists, or Persons professing the Popish Religion, are by Law subject. A. D.
1790-1.

[The Act prescribes forms of a declaration of professing the Roman Catholic religion, and of an oath of allegiance and abjuration, to be taken and subscribed by Roman Catholics, and relieves those who take and subscribe them from certain penalties and disabilities.]

XIII. And be it further enacted by the Authority aforesaid, That no Ecclesiastick or other Person professing the Roman Catholick Religion, who shall take and subscribe the Oath of Allegiance, Abjuration, and Declaration, hereinbefore mentioned and appointed to be taken and subscribed as aforesaid, shall be prosecuted in any Court whatsoever, for teaching and instructing Youth, as a Tutor or Schoolmaster, any Law or Statute to the contrary notwithstanding. No Roman
Catholick
who shall
take the
appointed
Oath pro-
secutable
for teach-
ing Youth;

¹ This Act was continued by 53 Geo. 3. c. 94 for twenty-one years from the date of the passing of the continuing Act (21st of May, 1813), and from thence to the end of the then next Session of Parliament. It was repealed by 4 & 5 Vict. c. xx, which appointed a new set of trustees not including any *ex officio* representatives of the University or Colleges.

A. D.
1790-1.
but no
Roman
Catholic
to hold the
Mastership
of any
College or
School of
Royal
Founda-
tion, &c.

XIV. Provided always, That no Person professing the Roman Catholic Religion shall obtain or hold the Mastership of any College or School of Royal Foundation, or of any other endowed College or School for the Education of Youth, or shall keep a School in either of the Universities of *Oxford* and *Cambridge*.¹

32^o GEO. III. CAP. II.

A. D.
1792-3.

An Act to repeal the Duties on certain Inhabited Houses containing less than Seven Windows, or Lights, granted by an Act of the Sixth Year of the Reign of His present Majesty.²

[The Act exempted from House and Window taxes dwelling-houses having less than seven windows.]

Act not to
extend to
Apart-
ments
in Inns of
Court, &c.

II. Provided always, That nothing in this Act contained shall extend, or be construed to extend, to exempt from the Payment of the said recited Duties, any Edifice in any of the Inns of Court or Chancery, or any Chamber or Apartment in any College or Hall, in any of the Universities of *Great Britain*, by reason of such Edifice, Chamber, or Apartment, separately containing less than Seven Windows or Lights, but that the same shall be charged as before the making of this Act; any Thing herein-before contained to the contrary notwithstanding.

32^o GEO. III. CAP. LIX.

An Act to amend so much of Two Acts, made in the Twenty-sixth and Twenty-ninth Years of the Reign of His late Majesty King *George* the

¹ Section 14 was repealed so far as it relates to the Universities of Oxford, Cambridge, and Durham by 34 & 35 Vict. c. 26. s. 8. Sched. (*infra*).

² The duties on houses and windows imposed by 6 Geo. 3. c. 38 and 24 Geo. 3. Sess. 2. c. 38 (see note to 20 Geo. 2. c. 3 (*supra*)), and partially repealed by this Act were wholly repealed and others substituted by 38 Geo. 3. c. 40 (*infra*). This Act is among those repealed by 43 Geo. 3. c. 161. s. 84 (*infra*).

Second,¹ as relates to the licensing of Alehouse Keepers and Victuallers ; and for better regulating Alehouses, and the Manner of granting such Licences in future ; and also of granting Licences to Persons selling Wines to be drunk in their Houses.²

A. D.
1792-3.

[The Act regulates the granting of Justices' licences for alehouses.

Section 9 provides that an excise-licence shall not give authority to sell wine to be drunk on the premises, unless the holder has a licence from Justices to sell ale beer and other liquors on the premises.]

XI. Provided always, and be it further enacted by the Authority aforesaid, That nothing in this Act contained shall extend, or be construed to extend, to any Person who shall be a Master, Warden, Freeman, or One of the Commonalty of the Vintners of the City of *London* ; or to any Person who shall be licensed by the Chancellors or Vice Chancellors of the Two Universities, in that Part of *Great Britain* called *England*, or either of them ; . . .

Not to extend to the Vintners Company, &c.

33^o GEO. III. CAP. CXXX.

An Act for repairing the Roads from the Town of *Cambridge* to a Place called *Long Leys*, and from the said Town of *Cambridge* to *Royston*, in the Counties of *Cambridge* and *Essex*.

A. D. 1793.

[30th April 1793.]

[Section I repeals 10 Geo. 1. c. 12 (*supra*), 11 Geo. 1. c. 14 (*supra*), 3 Geo. 2. c. 37 (*supra*), 15 Geo. 2. c. 16, 28 Geo. 2. c. 36 and c. 17, and 5 Geo. 3. c. 74 so far as they relate to the roads leading from Foulmire to Cambridge and the other roads adjoining thereto ; and provides that this

¹ 26 Geo. 2. c. 31 (*supra*) and 29 Geo. 2. c. 12.

² This Act was repealed by 9 Geo. 4. c. 61. s. 35 (*infra*). Section 9 had been repealed in general terms by 6 Geo. 4. c. 81. s. 33 (*infra*), being in effect re-enacted by s. 14 of that Act.

A. D. 1793. Act shall commence from and after the 1st of May, 1793, and continue for the residue of the terms granted by the Acts repealed and twenty-one years more and from thence to the end of the then next Session of Parliament.¹

Section 2 appoints 'the Reverend the Vice Chancellor of the University of *Cambridge*, and the Heads of Colleges and Halls in the said University for the Time being, the Mayor and Aldermen of the Corporation of *Cambridge* for the Time being', and other named persons trustees for executing the Act.

Section 3 imposes a property qualification on the trustees.

Section 43 declares the Act to be a public Act.]

34^o GEO. III. CAP. XX.

A. D. 1794. An Act for repealing the Duties on Paper, Pasteboard, Millboard, Scaleboard, and Glazed Paper; and for granting other Duties in lieu thereof.²

[4th April 1794.]

[The Act (ss. 1, 2) repeals, except as to paper printed, painted, or stained to serve for hangings or other uses, from the 5th of April, 1794, the customs and excise duties imposed by 27 Geo. 3. c. 13 (*supra*), and imposes new duties.

Section 30 allows under certain conditions a drawback upon the exportation of books printed on paper made in Great Britain which has paid excise duty, the exporter having to make an oath that he believes that the duty has been paid and that no drawback has been before received, and in the case of bound books that he

¹ By 47 Geo. 3. Sess. 2. c. 54 (passed 1st of August, 1807) s. 19, this Act was continued for twenty-one years from the second Monday after the passing of the continuing Act, and from thence to the end of the then next Session of Parliament. It was repealed by 9 Geo. 4. c. xxxvi. which appointed a new set of trustees not including any ex officio representatives of the University or Colleges.

² The duties imposed by this Act were repealed by 42 Geo. 3. c. 94 (*infra*). The Act was repealed by 2 & 3 Vict. c. 23. s. 67 (*infra*).

believes that excise duty on the materials used in binding has been paid and that the book has not previously been sold except to a bookseller; 'and in case such Book or Books shall be printed in the Latin, Greek, Oriental, or Northern Languages, such Exporter, or his Clerk or Manager, shall, over and besides the several Matters herein-before directed to be sworn to, make Oath that he believes that the said Book or Books was not or were not printed within the Universities of *Oxford* and *Cambridge*, or either of them, by Permission of the Vice Chancellors of the same respectively, nor within the Universities of *Scotland*, or any of them, by Permission of the Principals of the same respectively'.]

XXXI. Provided always nevertheless, That nothing in this Act contained shall extend, or be deemed or construed to extend, to intitle any Person or Persons whatsoever to any such Drawback . . . for or in respect of the Paper of any Books in the Latin, Greek, Oriental, or Northern Languages, printed within the Two Universities of *Oxford* and *Cambridge*, or either of them, by Permission of the Vice Chancellors of the same respectively, or within the Universities of *Scotland*, or any of them, by Permission of the Principals of the same respectively; nor for or in respect of Bibles, Testaments, Psalm Books, or Books of Common Prayer, printed in the Universities of *Oxford* and *Cambridge*, or either of them, by Permission of the Vice Chancellors of the same respectively; nor for or in respect of Bibles, Testaments, Psalm Books, Books of Common Prayer, Confession of Faith, or larger or shorter Catechisms, printed by the King's Printers in *England* and *Scotland* respectively; . . .

XXXII. And, for preventing Frauds in the Exportation of Paper on Drawback, be it further enacted by the Authority aforesaid, That if any Printer, Bookseller, or other Person, shall, in any Package or Parcel of Books intended for Exportation on Drawback, put or pack up . . . any Book or Books in the Latin, Greek, Oriental, or Northern Languages, or any Bible, Testament, Psalm Book,

A. D. 1794.

Such Drawback not to be allowed unless the Water Mark be visible in the Paper, nor for Latin Books, &c. printed in the Universities, &c.

Books without the Water Mark, &c. put up for Exportation on Drawback to be forfeited.

A. D. 1794. or Book of Common Prayer, Confession of Faith, or larger or shorter Catechism, printed within the Universities of *England* and *Scotland*, or any of them, by Permission of the Vice Chancellors and Principals of the same respectively, or any Bible, Testament, Psalm Book, Book of Common Prayer, Confession of Faith, or larger or shorter Catechism, printed by the King's Printers in *England* and *Scotland* respectively, then, and in such Case, all and every such Package or Parcel, and all the Books of every Kind therein contained, shall be forfeited, and the same shall and may be seized by any Officer or Officers of Customs or Excise.

Duties on
Paper used
in printing
Latin
Books,
&c. in the
Universi-
ties of
England,
may be
drawn
back in
the Man-
ner herein
specified ;

XXXVII. Provided always, and be it enacted by the Authority aforesaid, That for the Encouragement of Learning, so much Money as shall from Time to Time be paid for the Duties of Excise granted by this Act for any Quantities of Paper which shall be used in the printing any Books in the Latin, Greek, Oriental, or Northern Languages, within the Two Universities of *Oxford* and *Cambridge*, or either of them, by Permission of the Vice Chancellors of the same respectively, shall and may be drawn back and repaid in Manner following ; (that is to say), the Chief Manager of the Press in each of the said Universities shall and may from Time to Time make Proof, by Oath in Writing, before the Vice Chancellor, who is hereby impowered to administer the same, expressing therein the Kinds and Quantities of the Paper so used, and how much the Excise Duties thereof payable by this Act doth amount to ; which said Oath in Writing, certified by the Vice Chancellor, and produced to the Lord Treasurer, or Commissioners of the Treasury for the Time being, the said Lord Treasurer, or Commissioners of the Treasury for the Time being, shall forthwith, from Time to Time, issue his or their Orders or Warrants to the respective Commissioners of Excise, to cause Payment to be made of such Money as the Excise Duties payable by this Act for the Paper so used in the printing of the said Books in the said Universities as aforesaid shall amount

to; the same Payment to be made without Fee or Charge A. D. 1794. whatsoever, and without Delay, to such Person or Persons as the said respective Vice Chancellors shall authorize and appoint to receive the same, out of any of the Excise Duties upon Paper arising by this Act; any Thing in this Act contained to the contrary notwithstanding.

[Section 38 gives a like allowance for the benefit of the Universities of Scotland.]

XXXIX. And whereas it is expedient that an Allowance should be made for all Paper used in printing Bibles, Testaments, Psalm Books, Books of Common Prayer, and Confession of Faith, and the larger and shorter Catechism; Treasury to order a Drawback of 2d. per lb. on Paper used in printing Bibles, &c. be it therefore enacted by the Authority aforesaid, That it shall and may be lawful to and for the Lord High Treasurer, or the Lords Commissioners of His Majesty's Treasury for the Time being, upon being satisfied that the Duty of Excise by this Act imposed had been fully paid for any Quantity of Paper of the first Class hereinbefore mentioned used in the Universities of *Oxford* and *Cambridge*, or either of them, by Permission of the Vice Chancellors of the same, or used by the King's Printers in *England* and *Scotland* respectively, in the printing of Bibles, Testaments, Psalm Books, Books of Common Prayer of the Church of *England*, the Book commonly called or known in *Scotland* by the Name of the *Confession of Faith*, or the larger or shorter Catechism of the Church of *Scotland*, to issue his or their Orders or Warrants, from Time to Time, authorising and directing the Commissioners of Excise in *England* and *Scotland* respectively, out of the Duties by this Act imposed for or in respect of Paper made in *Great Britain*, to pay and allow to such Vice Chancellors and King's Printers respectively, or to the Person or Persons by them respectively authorised to receive the same, a Drawback or Allowance of Two-pence *per* Pound Weight, for all such Paper so used as aforesaid.

XL. Provided always nevertheless, That nothing in this Act contained shall extend, or be deemed or construed to extend, to entitle any Person or Persons whatever, to any Conditions on which such Drawbacks are

A. D. 1794. such Drawback or Allowance, for or in respect of any such
to be Paper used in the printing any such Bibles, Testaments,
allowed: Psalm Books, Books of Common Prayer, Confession of Faith,
or the larger or shorter Catechism, unless the said Paper shall
have visible in the Substance thereof a Mark, commonly
called a *Water Mark*, of the Date of the present Year of
our Lord, in the following Figures 1794, or of some
subsequent Year of our Lord, nor unless the Chief
Manager of the Press in such Universities respectively, or
such King's Printers in *England* and *Scotland* respectively,
shall at least Forty-eight Hours before any such Paper is
begun to be prepared for printing, give or cause to be
given to the proper Officer of Excise, a Notice in Writing
of the Intention to print such Paper, specifying in such
Notice the Number of Reams or Bundles of such Paper
so intended to be printed, and whether the same is to be
printed for Bibles, Testaments, Psalm Books, Common
Prayer Books, Books of Confession of Faith, or the larger
or shorter Catechism, of what Size the intended Impression
or Edition of such Book intended to be printed is to be,
and of how many Copies the intended Impression or Edition
thereof is to consist, nor unless all such Paper shall, on such
Officer's Attendance, be produced to him, inclosed in the
original Covers or Wrappers in which the same was charged
with Duty, with the Impression of the Officer's Stamp and
his Christian and Surname, and the Date of the Charge
of the Duty, with the Class of such Paper, and the several
Matters herein-before prescribed and directed to be marked,
written, or printed, remaining on such Covers or Wrappers
respectively, nor unless such Chief Managers or King's
Printers respectively, shall provide good and sufficient
Scales and Weights, and permit and assist such Officer to
use the same for the Purpose of ascertaining the true
Quantity and Weight of such Paper, nor unless the Chief
Manager of the Press in such Universities respectively,
or such King's Printers respectively, shall, in like Manner,
within One Month next after the Whole of such Impression
or Edition shall have been printed off, dried, and finished,

give or cause to be given to the proper Officer of Excise A. D. 1794.
 Forty-eight Hours Notice in Writing of such Impression or Edition being printed off, dried, and finished, and thereupon such Officer shall attend and inspect, examine, and weigh the Whole of such Impression or Edition unbound and in Sheets, and shall thereupon give and deliver to such Chief Manager of the Press or King's Printer, as the Case may require, a Certificate in Writing of his having so done, specifying therein the Name of such Book, together with the Size thereof, and the Number of Copies of which such Impression or Edition consists, and the Weight of the Paper on which the same is printed, but if such Weight shall exceed the Weight of the Paper actually produced to and taken account of by the proper Officer previous to the printing thereof as aforesaid, then and in such Case such last mentioned Weight shall be inserted in such Certificate, and the Allowance shall be made for no greater Quantity or Weight than the Weight specified in such Certificate; any Thing herein contained to the contrary notwithstanding.

XLI. Provided also, That no such Allowance shall be made for or in respect of any such Paper used in the printing any such Bibles, Testaments, Psalm Books, Books of Common Prayer, Confession of Faith, or the larger or shorter Catechisms, unless the Chief Manager of the Press in such Universities respectively, or such King's Printers respectively, shall make and subscribe on the Back of such Certificate such Oath in Writing as is in each respective Case herein-after prescribed; that is to say, the Chief Manager of the Press in the said Universities of *Oxford* and *Cambridge* respectively, shall make Oath before the Vice Chancellors of the said Universities respectively, (which Oaths they the said Vice Chancellors respectively are hereby authorized and impowered to administer), of the Quantity and Weight of the Paper actually made use of in the printing of any such Impression or Edition of the Bible, Testament, Psalm Book, Book of Common Prayer, Confession of Faith, or larger or shorter Catechism,

Further
 Conditions
 on which
 such Draw-
 backs are
 to be
 allowed.

A.D. 1794. as the Case may be, and that such Chief Manager of the Press believes the Duty by this Act imposed for or in respect of such Paper used in the printing of the Impression or Edition mentioned in such Certificate, has been fully paid, and that no Drawback or Allowance has been before claimed or paid for or in respect of such Paper, or any Part thereof; and the King's Printers in *England* and *Scotland* respectively, shall make Oath before the Commissioners of Excise, or any Two or more of them, in *England* and *Scotland* respectively, (which Oath they the said respective Commissioners are hereby authorized and impowered to administer), of the Quantity and Weight of the Paper actually made use of in the printing of any such Impression or Edition of the Bible, Testament, Psalm Book, Book of Common Prayer, Confession of Faith, or larger or shorter Catechism, as the Case may require; and that such King's Printer believes the Duty by this Act imposed for or in respect of such Paper used in the printing of such Impression or Edition has been fully paid, and that no Drawback or Allowance has been before claimed or paid for or in respect of such Paper, or any Part thereof, and that the Whole of the said Impression or Edition of such Bible, Testament, Psalm Book, Book of Common Prayer, Confession of Faith, or larger or shorter Catechism, has been printed by him or them at his or their usual and ordinary Printing House, on his or their own Account, under and by virtue of the exclusive Patent, Authority, or Privilege belonging to him or them as such King's Printer, and for his or their sole and entire Benefit, Profit, Emolument, and Advantage.

[Section 53 repeals 21 Geo. 3. c. 24 (*supra*).]

34^o GEO. III. CAP. CIV.

An Act to amend and enlarge the Powers of an Act, passed in the Twenty-eighth Year of the Reign of His present Majesty, intituled, *An Act for the better paving, cleansing, and lighting the*

Town of Cambridge, for removing and preventing A. D. 1794.
Obstructions and Annoyances, and for widening
the Streets, Lanes, and other Passages, within the
*said Town.*¹ [23d May 1794.]

WHEREAS an Act was passed in the Twenty-eighth Preamble.
 Year of the Reign of His present Majesty, for the better paving, cleansing, and lighting the Town of *Cambridge*, for removing and preventing Obstructions and Annoyances, and for widening the Streets, Lanes, and other Passages, within the said Town:² And whereas great Progress hath been made in executing the said Act, in the doing of which the Whole of the Money authorized by the said Act to be raised and borrowed hath been expended, and a considerable Debt hath been contracted by the Commissioners for executing the same, which now remains due: And whereas divers Works necessary to be done for the Completion of the Improvements in the said Town still remain unfinished, and cannot be executed, nor can the above-mentioned Debt be discharged, without the further Aid of Parliament: And whereas several Amendments and further Regulations are wanting to the said Act, to render it more extensively useful: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That it shall be lawful for the Commissioners for executing this Act, and they are hereby authorized and empowered to raise (over and above the Monies allowed to be raised by the said former Act) any Sum or Sums of Money not exceeding Five thousand

Commissioners empowered to raise a further Sum of Money.

¹ By the Cambridge Order, 1881, confirmed by 44 Vict. c. xv, section 8 was repealed and all words referring to the tolls thereby authorized were directed to be omitted from this Act. By Art. XIV of the Cambridge Order, 1889, confirmed by 52 & 53 Vict. c. cxvi (*infra*), the unrepealed provisions of the Act were repealed except ss. 21 & 25 which were directed to apply to the Town Corporation instead of the Commissioners.

² 28 Geo. 3. c. 64 (*supra*).

A. D. 1794. Pounds, the same to be raised and paid in the following Proportions ; (that is to say), Two Fifth Parts of such Sum or Sums, so to be raised in pursuance of this Act, shall be paid by and on Account of the University of *Cambridge*, One Twelfth Part of the remaining Three Fifths shall be paid by or on Account of the Corporation of the said Town, and the remaining Part of such Sum or Sums the said Commissioners are hereby authorized and empowered to borrow on the Security of the Rates and Assessments, Duties and Tolls, made and levied, or to be made and levied, by virtue of this and the said former Act ; such Sum and Sums so to be borrowed on Security, to be raised and borrowed by any or either of the Ways and Means of borrowing Money mentioned in the said former Act ; and the Proportion of the said Sum and Sums of Money, payable as above-mentioned by the said University and Corporation, shall be enforced in like Manner as is provided and directed with respect to the Payment of the Sums of Money payable by the said University and Corporation, by virtue of the said former Act ; and the said Sum and Sums of Money, when paid and raised, shall be applied by the said Commissioners, in the First Place, in the paying and discharging the Costs and Expences of applying for and passing this Act, and then in discharging all Debts contracted by the said Commissioners in the Execution of the said recited Act, and now due and owing, and the Residue shall be applied by the said Commissioners in finishing, completing, and making, the several Improvements in the said Town yet remaining unfinished, in Manner, and under the Rules, Orders, and Regulations, herein and in the said former Act specified and provided.

The University enabled to borrow Money. II. And be it further enacted, That it shall be lawful for the Chancellor, Vice Chancellor, Masters or Heads of the several Colleges or Halls within the said University, and they are hereby authorized and empowered to borrow any Sum or Sums of Money, not exceeding in the Whole their Quota of the said Money so to be raised and borrowed as above-mentioned, in such Manner as is directed touching

the Sum or Sums of Money authorized in and by the said A.D. 1794.
former Act to be borrowed by the said University.

III. And be it further enacted, That the Clauses in the said former Act relating to the original Appointment of Commissioners for carrying the same into Execution, shall be, and the same are hereby repealed; and that, from and after the passing of this Act, the following Magistrates and Officers for the Time being of the University of *Cambridge*, and of the Colleges and Halls therein, (to wit), the Chancellor, High Steward, Representatives in Parliament, the Vice Chancellor or his Deputy, all the Heads or Masters of Colleges or Halls, or in their Absence their respective Deputies or *Locum Tenentes*, and the Commissary, or in his Absence his Deputy, also Two Persons for *Trinity College*, Two Persons for *Saint John's College*, and One Person for each of the remaining Colleges and Halls in the said University, being Fellows or Masters of Arts, or of the Degree herein-after mentioned, and also the following Magistrates and Persons of the Corporation of *Cambridge*, (to wit), the High Steward, Recorder, or his Deputy, Representatives in Parliament, and the Mayor, or his Deputy, and the Aldermen, for the Time being, together with Sir *John Hynde Cotton* Baronet, *Charles Cotton*, *Francis Dickens*, *William Vachell*, *Richard Greaves Townley*, *Henry Pointer Standly*, *Benjamin Keene*, *Hale Wortham*, *Samuel Knight*, *Ebenezer Hollick*, *William Hollick*, *Richard Eaton*, *Nathaniel Wedd*, *Joseph Beldam*, *Busick Harwood*, *Jeremy Pemberton* Clerk, *Stephen Lushington* Clerk, *Edmund Fisher* Clerk, *Henry Allen Lagden* Clerk, and *Henry Turner* Clerk, shall be, and they are hereby appointed Commissioners for putting this and the said former Act into Execution.

IV. And be it further enacted, That it shall and may be lawful to and for the Head or Master of each College and Hall within the said University, except the said Colleges of *Trinity* and *Saint John*, and the Masters of Arts and Persons of superior Academical Degree resident for the Time being within such College and Hall, and on the Foundation

For ap-
pointing
Commis-
sioners,
and re-
pealing
Provision
in former
Act relat-
ing thereto.

Commis-
sioners to
be elected
from each
College,
&c.

A. D. 1794. thereof, to meet together in the usual Place for transacting the College Business in the respective Colleges and Halls, between the Hours of Nine and Twelve in the Forenoon of the Second *Monday* after the passing of this Act, or as soon after as conveniently may be, and the major Part of such Persons then resident and there assembled shall and may proceed to elect One of the Fellows or Masters of Arts or Persons of superior Degree on the Foundation of such their respective College or Hall, to be a Commissioner for such respective College or Hall; and the Head or Master, Masters of Arts, and Persons of superior Academical Degree, resident for the Time being within the said Colleges of *Trinity* and *Saint John*, and on the Foundation thereof, are hereby empowered to proceed in the same Manner to the Election of Two Persons of the like Degree as above-mentioned, to be Commissioners for each of their respective Colleges; and in case of an Equality of Votes in the Election of a Commissioner or Commissioners for any such College or Hall respectively, the Head or Master, or in his Absence his Deputy, or in their Absence the Senior Fellow present of such College or Hall, shall have the casting Voice, and such Person or Persons so elected shall and may continue to act and be a Commissioner or Commissioners for putting into Execution the Powers in this or the said former Act contained, during the Time he or they shall actually remain a Fellow or Fellows of such College or Hall, or on the Foundation thereof; provided, that when and as often as any of the said Commissioners, to be chosen by their respective Colleges or Halls as aforesaid, shall happen to die, resign, or refuse to act, or his Fellowship or other Place on the Foundation shall become vacant, it shall and may be lawful, within One Month after such Disqualification, Death, Resignation, Refusal, or Vacancy, for the several Voters in the College or Hall of which such Commissioner was a Member, to proceed to elect another Commissioner, in Manner above-mentioned, and so *toties quoties*, as Occasion shall be or require.

Commis-
sioners so

V. Provided always, and be it further enacted, That all

Persons who have been or shall be named or appointed by any College or Hall, and all Members of the said University appointed Commissioners in or by virtue of the said former Act, or to be hereafter appointed as above-mentioned, shall be, to all Intents and Purposes, Commissioners for putting the said former Act and this Act in Execution, in all Respects, without proving any other Qualification, or taking any Oath in respect thereto ; any Thing in the said former Act, or this Act, or in any other Law or Statute to the contrary in anywise notwithstanding.¹

A. D. 1794.
appointed
may act
without
proving
any other
Qualifica-
tion.

[Sections 6–19 contain provisions for, amongst other things, the annual election of two Commissioners for each Parish, making a further Rate of three pence in the pound annually, increasing the Tolls, paying the land tax and poor rates for buildings taken down, selling surplus land, and stopping private drains, if necessary.]

XX. And be it further enacted, That, from and after the passing of this Act, the Clause contained in the said former Act, directing the Footpaths of the said Town to be swept and cleansed,² and every Part thereof, shall be, and the same is hereby declared to be repealed ; and that from thenceforth all and every Inhabitant and Inhabitants of the Town of *Cambridge*, and the Master of every College within the University, shall cause to be swept and cleansed, the Whole of the Footway, including the Kirb Stone, before their respective Houses, Buildings, Walls, Colleges, and Halls, every Day (except *Saturday* and *Sunday*) between the Hours of Six and Ten in the Forenoon, and between the Hours of Three in the Afternoon of every *Saturday*, and Nine in the Morning of every *Sunday* in the Year ; and the Vice Chancellor for the Time being, shall cause the Footpath before the Senate House and Senate House Walk, and the Churchwardens of every parish in *Cambridge*, for the Time being, the Footpath before the Walls of their respective Parish Churches and Church Yards, to be swept

New
Clause for
sweeping
Footways.

¹ As to the qualification and oath of the Commissioners, see 28 Geo. 3. c. 64. s. 6 (*supra*).

² 28 Geo. 3. c. 64. s. 68 (*supra*).

A. D. 1794. and cleansed in like Manner, and at the Days and Times above specified ; and in case of Neglect in the Premises, such Inhabitant or Inhabitants, Masters of Colleges and Halls, Vice Chancellor and Churchwardens, shall respectively forfeit and pay for every such Neglect the Sum of Five Shillings, to be recovered by Distress and Sale of Goods, and applied in such Manner as is directed for the Recovery and Application of Penalties and Forfeitures by the said former Act ; and in case any Person or Persons shall give Information to any Justice of the Peace in and for the said Town, of any of the said Footpaths being dirty and unswept, (which Information the said Justice may take without Oath), such Justice shall and may summon the Person or Persons who ought, by virtue of this Act, to cause the Footpath complained of to be swept ; and such Person or Persons shall prove, to the Satisfaction of the said Justice, that the Directions of the Act have been complied with by him, her, or them, or otherwise shall be liable to pay the said Penalty.

Further
Penalty on
breaking
Lamps.

XXI. And whereas some of the Penalties laid by the said former Act upon Persons wilfully breaking or damaging Lamps, have not proved sufficient to prevent such Offences ; be it further enacted, That, from and after the passing of this Act, if any Person or Persons shall wilfully break, throw down, or otherwise damage, any of the Lamps erected by virtue of the said Act, or any of the Posts, Iron, or other Furniture thereof, or shall extinguish any of the said Lamps, every such Offender shall forfeit and pay any Sum or Sums of Money not exceeding the Sum of Five Pounds nor less than Forty Shillings for each Lamp so broken or thrown down, damaged, or extinguished as aforesaid, the Amount of such Sum or Sums to be fixed and adjudged by the Justice of Peace before whom such Offender shall be convicted of the said Offence, any Thing in the said former Act, as to the First or Second Offence, to the contrary notwithstanding ; and the same Methods shall be pursued for enquiring into, recovering, and levying, the said Penalties, and otherwise punishing the Offenders, as are

respectively prescribed by the said former Act with respect A. D. 1794: to the like Offences committed by Persons matriculated, or being Members of the said University, or by any other Person or Persons; One Moiety of the Penalty so adjudged to be paid by such Offender and Offenders shall, upon the Conviction of him, her, or them, be paid to the Informer or Informers upon whose Oath such Offender or Offenders shall be convicted, and the other Moiety of the Penalty to the Treasurer or Treasurers of the said Commissioners for the Purposes of this and the said former Act.

[Sections 22 and 23 repeal respectively ss. 98 and 75 of 28 Geo. 3. c. 64 (*supra*), and substitute other provisions. Section 24 directs the removal of spouts projecting from the tops of houses or buildings in the town and the fixing of pipes to convey the water down into the common channels or drains, the cost in the case of existing buildings to be paid out of the moneys raised or collected under the Acts.]

XXV. And whereas Power is given in and by the said former Act,¹ to and for any Body Corporate or Collegiate, Aggregate or Sole, to alienate and sell for ever, any Tenements or Hereditaments, and the Scite thereof, with their Appurtenances, standing or being within the University and Town of *Cambridge*; and it is provided that all and every Sum and Sums of Money to be paid to any body Corporate or Collegiate, Aggregate or Sole, (except the Corporation of *Cambridge*), for the Purchase of such Houses, Tenements, or Hereditaments, should be lodged in any of the publick Funds, in the names of the three Royal Professors of Divinity, Law, and Physick, for the Time being, within the said University, for the Use of the said body Corporate or Collegiate, Aggregate or Sole; And whereas the blending of Money belonging to different Colleges in One Account, in the publick Funds, has been found inconvenient; and in order to keep the Property of the several Colleges of the said University distinct, it is thought expedient to add the

Purchase Money for College Property, to be placed out in the name of the Master of the College.

¹ 28 Geo. 3. c. 64. s. 87 (*supra*).

A. D. 1794. Name of the Master of the College so alienating and selling as aforesaid, to the said Three Royal Professors: Be it therefore enacted, That, from and after the passing of this Act, all and every Sum and Sums of Money heretofore paid or hereafter to be paid as aforesaid, to any Body Corporate or Collegiate, Aggregate or Sole, in or belonging to the said University of *Cambridge*, for the Purchase of any Houses, Tenements, or Hereditaments, by them or either of them heretofore or hereafter to be alienated and sold, vested or to be vested in the publick Funds, shall be transferred into, placed out, and stand, in the Name of the Master of the College so alienating and selling, for the Time being, as well as of the said Three Royal Professors, in Trust, and to be applied to such Uses, Intents, and Purposes, as in the said former Act are mentioned and directed of and concerning the same.

[Sections 26–29 relate to the mode of assessing compensation in default of agreement on the compulsory purchase of property by the Commissioners; section 30 to appeals from rates or penalties; and section 31 declares the Act to be a public Act.]

35^o GEO. III. CAP. LXXVII.

A. D. 1795. An Act for improving the Drainage of the *Middle* and *South Levels*, Part of the Great Level of the Fens, called *Bedford Level*, and the Low Lands adjoining or near to the said Levels; as also the Lands adjoining or near to the River *Ouze*, in the County of *Norfolk*, draining through the same to Sea by the Harbour of *King's Lynn*, in the said County; and for altering and improving the Navigation of the said River *Ouze*, from or near a place called *Eau Brink*, in the Parish of *Wiggenhall Saint Mary*, in the said County, to the said Harbour of *King's Lynn*; and for improving

and preserving the Navigation of the several Rivers communicating with the said River *Ouze*.

[19th May 1795.]

[Section 1 appoints Drainage Commissioners.

Section 3 constitutes certain persons therein appointed by name and 'the Aldermen, Recorder, Coroner, and Capital Burgesses, Assistant Justices, and Town Clerk for the Time being of the Borough of *Bury Saint Edmunds*, the Mayor and Aldermen of *King's Lynn* for the Time being, the Mayor and Aldermen of *Cambridge* for the Time being, the Recorder, Mayor, Coroner and Aldermen of the Corporation of Thetford for the Time being, the Vice Chancellor of *Cambridge* for the Time being, the Conservators of the River *Cam* for the Time being' ¹ Commissioners for Navigation.²

Section 116 declares the Act to be a public Act.]

35^o GEO. III. CAP. CVI.

An Act for amending and rendering more effectual an Act, passed in the Twenty-eighth Year of the Reign of His present Majesty, intituled, *An Act to explain, amend, and enlarge, the Powers of so much of Two Acts, passed in the Eleventh and Fifteenth Years of the Reign of His present Majesty, 'for improving and completing the Navigation of the Rivers Thames and Isis, from the City of London*

¹ See 1 Ann. St. 2. c. 11 (*supra*) and 14 & 15 Vict. c. xcii (*infra*).

² This Act was the first of a series since known as the *Eau Brink Acts*, which include 58 Geo. 3. c. xlviii (*infra*). By the *Ouse Outfall Act, 1860* (23 Vict. c. lxxxviii) sections 38, 88, and 89, the property of the *Eau Brink Drainage Commissioners* was transferred to the *Ouse Outfall Board*, and their powers, authorities, jurisdictions, obligations, rights, and remedies partly to that Board and partly to the *Denver Sluice Commissioners*; and by the *South Level and Eau Brink Act, 1893* (56 Vict. c. xii) s. 7, the property, rights, powers, authorities, and jurisdiction, of the *Eau Brink Navigation Commissioners* were on the 31st of July, 1894, transferred to the *South Level Commissioners* constituted under 7 & 8 Geo. 4. c. xlvii (*infra*).

A. D. 1795.

to the Town of Cricklade, in the County of Wilts,' as relates to the Navigation of the said Rivers, from the Boundary of the Jurisdiction of the City of London, near Staines, in the County of Middlesex, to the said Town of Cricklade; and for extending and enlarging the Powers of the said several Acts, passed in the Eleventh and Fifteenth Years of the Reign of His said present Majesty, so far as the same relate to the improving and completing of the Navigation of the said Rivers, from the Jurisdiction of the City of London, near Staines, in the County of Middlesex, to the Town of Cricklade, in the County of Wilts.

[22d June 1795.]

[The Act recites 11 Geo. 3. c. 45 (*supra*), 15 Geo. 3. c. 11, and 28 Geo. 3. c. 51 relating to the Upper Thames Navigation, confirms and extends the powers there given, and makes additional regulations for the navigation.]

Appoint-
ment of
new Com-
missioners.

XXV. And be it further enacted, That, from and after the Twenty-fifth Day of *December* next, the Representatives in Parliament for the Counties of *Wilts, Gloucester, Oxford, Berks, and Bucks*, and for all Cities and Towns within the same, and for the University of *Oxford*, the Representatives in Parliament for the Counties of *Middlesex* and *Surrey*, and for the Cities of *London* and *Westminster*, and the Borough of *Southwark*, the Lord Mayor and Aldermen of the City of *London*, the Vice Chancellor and Heads of Colleges and Halls in the University of *Oxford*, the Dean and Canons of *Christ Church*, the Dean and Canons of *Windsor*, the Provost and Fellows of *Eton* College, the Rectors and Incumbents of the several Parishes that border on the *Thames* and *Isis* on both Sides from *Staines* to *Cricklade*, the Mayors and Recorders of *Oxford, Abingdon, Wallingford, Reading, Henley, Maidenhead, and Windsor*, the Senior Bridgewardens of *Great Marlow*, and the Clerk of His Majesty's Board of Works residing at *Windsor*

Castle, for the Time being, and also every Person being A. D. 1795. seised in his own Right, or in Right of his Wife, of Lands, Tenements, or Hereditaments, being Freehold or Copyhold, of the Value of One hundred Pounds *per Annum*, in the Counties of *Wilts, Gloucester, Oxford, Berks, and Bucks*, or being Heir Apparent of some Person having such Estate of the clear Yearly Value of Two hundred Pounds, and every Person who does or shall reside in either of the said Counties of *Wilts, Gloucester, Oxford, Berks, and Bucks*, being seised of Lands, Tenements, or Hereditaments as aforesaid, to the Value of One hundred Pounds *per Annum*, in *Great Britain*, or being Heir Apparent of some Person having such Estate of the Yearly Value of Two hundred Pounds, or possessed of Personal Estate to the Value of Three thousand Pounds, or being a Holder of Loans on the said Navigation to the Amount of Five hundred Pounds, shall be and are hereby appointed Commissioners for putting in Execution the said several Acts, and also this Act, and they are hereby authorized and empowered to execute the same, and every Part of the said Acts, according to the true Intent and Meaning thereof.¹

[Section 26 prescribes an oath of qualification to be taken by other than *ex officio* Commissioners.

Section 36 declares the Act to be a public Act.]

35^o GEO. III. *Cap. 62.*²

An Act for amending an Act, passed in the Tenth Year of the Reign of His present Majesty, intituled, *An Act to enable the Trustees of the Estates devised by William Hulme, Esquire, to grant Building Leases thereof, and to increase the Number of Exhibitioners to Brazen Nose*

¹ The powers of the Commissioners hereby appointed were transferred to the Conservators of the Thames by 29 & 30 Vict. c. 89 (*infra*). The Act was wholly repealed by 57 & 58 Vict. c. clxxxvii (The Thames Conservancy Act, 1894).

² This Act is not printed. The original Act, preserved at the House of Lords, is No. 167.

A. D. 1795.

College, in Oxford, founded by the said Testator, and for other Purposes therein mentioned; and to enable the Trustees to convey in Fee, or grant Leases for Lives, or for long Terms of Years, with or without Covenants for Renewal, or for perpetual Renewal, under reserved Yearly Rents, the said Trust Estates; and to enable the Trustees to apply the Trust Monies in making such Allowance to the Exhibitioners as may be thought proper, and for other Purposes therein mentioned.¹

[19th May 1795.]

[This Act recites the will of William Hulme and the Act 10 Geo. 3. c. 51 (*supra*), and further that there had been for some time past and were at that time ten exhibitioners receiving £80 a year each, that the income from the trust estate was £1180 a year or thereabouts exclusive of that arising from £6300 saved out of income; that a considerable part of the estate was still not let on building leases, and that building leases for ninety-nine years were not the most advantageous way of improving the estate.

The Act then gives power to make grants in fee, or for life or lives with or without covenants for renewal or perpetual renewal, or for any number of years whatever with or without covenants for renewal or perpetual renewal, and to accept surrenders of existing leases for the purpose of making such grants; and it also gives power to lay out land for roads, streets, ways, and passages, and grant the right of using the same to adjoining owners or dedicate them to the public. It directs that the exhibitions may be of any amount from £60 to £110 a year, no exhibition to be paid to any exhibitioner who has not regularly resided in the College from the beginning of Michaelmas Term to the end of Act Term.]

¹ See further as to the Hulme Foundation (*infra*) 54 Geo. 3. c. 205, 7 & 8 Geo. 4. c. 9, 2 Vict. c. 17, 7 Edw. 7. c. cx, and note to the last of those Acts.

36^o GEO. III. CAP. VIII.

An Act for the more effectually preventing Seditious Meetings and Assemblies. A. D. 1795.

[18th December 1795.]

[Sections 12–17 prohibit lectures or discourses or public debates ‘on or concerning any supposed Publick Grievance, or any Matters relating to the Laws, Constitution, Government, or Policy of these Kingdoms, for the Purpose of raising or collecting Money, or any other valuable Thing, from the Persons admitted’, or where payment is made for admission, in any place not licensed for the purpose.]

XVIII. Provided also, That nothing in this Act contained shall be construed to extend to any Lectures or Discourses to be delivered in any of the Universities of these Kingdoms, by any Member thereof, or any Person authorized by the Chancellor, Vice Chancellor, or other proper Officers of such Universities respectively. Act not to extend to Universities.

[Section 19 is a proviso for Schoolmasters and instructors of youth *verbatim* the same as the concluding portion of 39 G. 3. c. 79. s. 22 (*infra*).

Section 23 provides that the Act shall be in force for three years from its passing and until the end of the then next session of parliament.¹]

37^o GEO. III. CAP. VI.

An Act for enabling His Majesty to raise a provisional Force of Cavalry, to be embodied, in case of Necessity, for the Defence of these Kingdoms.² A. D. 1796.

[11th November 1796.]

¹ Though this Act expired at the end of the term limited it is included in Schedule 1 of 32 & 33 Vict. c. 24 (*infra*) as one of the Acts repealed by s. 1 of that Act.

² This Act was temporary in its operation and has long expired.

A. D. 1796.

Certain Persons exempted from Duty. XIV. Provided also, and be it further enacted, That no Person who shall serve as a Commissioned Officer . . . ; nor any Person being a Resident Member of either of the Universities ; . . . and who respectively shall not be charged to the said Duties for more than One Horse, Mare, or Gelding, shall be liable to provide any Man or Men, or any Mare or Gelding, or Mares or Geldings, for His Majesty's Service in pursuance of this Act.

37^o GEO. III. CAP. XC.

A. D. 1797. An Act for granting to His Majesty certain Stamp Duties on the several Matters therein mentioned, and for better securing the Duties on Certificates to be taken out by Solicitors, Attornies, and others, practising in certain Courts of Justice in *Great Britain*.¹ [22nd June 1797.]

[Section I imposes additional duties from the 5th July, 1797, on documents on which are written or printed *inter alia* the following matters.]

.

Matriculations in *England*. Any Matriculation of a Person in either of the Two Universities in *England*, the Sum of Four Shillings :²

.

Registers, &c. of Degrees in the Universities in *England*. Any Register, Entry, Testimonial, or Certificate of any Degree taken in either of the Two Universities in *England*, the Sum of Two Pounds :³

.

¹ The duties imposed by this and previous Stamp Acts were repealed by 44 Geo. 3. c. 98 (*infra*).

² Duties amounting to four shillings were previously payable under 5 & 6 W. & M. c. 21 (*supra*), 9 [9 & 10., Ruff.] Will. 3. c. 25 (*supra*), and 23 Geo. 3. c. 58 (*supra*).

³ Duties amounting to £4 were previously payable on Registers, &c. of admission to degrees (except that of bachelor of arts) under 5 & 6 W. & M. c. 21 (*supra*) and 9 [9 & 10., Ruff.] Will. 3. c. 25 (*supra*).

37^o GEO. III. CAP. CLXX.

An Act for more effectually repairing, improving, A. D. 1797.
and keeping in Repair the Road leading from
the Guide Post, in the Village of *Adderbury*, in
the County of *Oxford*, through *Kidlington*, to the
End of *The Mileway*, in the City of *Oxford*.

[25th May 1797.]

[Section 1 repeals from and after the First Day of June, 1797, the Act 28 Geo. 2. c. 46 (*supra*) so far as it relates to the road from the Guide Post in Adderbury through Kidlington to the Mileway leading towards Oxford, and the whole of the Act 17 Geo. 3. c. 87 (*supra*) except as relates to the term thereby granted and continued ; and enacts that this Act shall continue for the remainder of the term of the repealed Acts and for the further term of twenty-one years and from thence to the end of the then next Session of Parliament.¹

By section 2 'the Vice Chancellor, Heads of Colleges and Halls, Proctors and Professors, in the University of *Oxford* for the Time being ; the Mayor, Recorder, Aldermen, Bailiffs, Assistants, and Town Clerk of the City of *Oxford* for the Time being ; and the Canons of *Christ Church, Oxford*, for the Time being ' ; are with other persons appointed Trustees for the purposes of this Act.

Section 4 imposes a property qualification on the trustees.]

XXIV. And whereas by an Act, made in the Eighteenth *Mileway*
Act ;
Year of the Reign of Queen *Elizabeth*, intituled, *An Act*
for the repairing and amending of the Bridges and High-
ways near unto the City of Oxford ; ² and by another Act,

¹ This Act was continued by 59 Geo. 3. c. cxxii. ss. 1, 38, for the further term of twenty-one years from its expiration and from thence to the end of the then next Session of Parliament. That Act was continued by Annual Turnpike Acts Continuance Acts till that of 1875, 38 & 39 Vict. c. cxciv, which fixed the 1st of November, 1876, as the date for its expiration.

² 18 Eliz. c. 20 (*supra*).

A. D. 1797. made in the Thirty-fifth Year of the Reign of the same Queen, intituled, *An Act for the reviving, Continuance, Explanation, and perfecting of divers Statutes*,¹ (which said Acts are continued indefinitely by Two other Acts, One made in the Third and the other in the Sixteenth Year of the Reign of King *Charles* the First²), it is provided and enacted, that every Person having One Yard Land or more in his Possession lying within Five Miles of the University and City of *Oxford*, or the Franchises of the same, shall, for every Yard Land, perform such Personal Duty as in the said Act is mentioned, or in lieu thereof shall make certain Annual Payments specified in the said Acts, unto the Vice Chancellor and Mayor of the same University and City for the Time being, or their Deputy or Deputies, towards the amending of the Bridges and Highways lying and being within One Mile of the City of *Oxford*, with Remedy by Distress for such Sums as shall be due and not paid as aforesaid: And whereas the aforesaid Road called *The Mileway* is one of the said Mileways, and the several Sums of Money following have usually been received and collected annually by virtue of the said Acts for repairing the said *Mileway*, of and from the several Parishes and Townships in the County of *Oxford*, following; (that is to say), of *Kidlington* Seven Pounds, of *Worton* One Pound Thirteen Shillings and Four-pence, of *Gosford* Two Pounds Six Shillings and Eight-pence, of *Begbrooke* Two Pounds Four Shillings and Three-pence, and of *Water Eaton* Five Pounds Six Shillings and Eight-pence: And whereas it will be most convenient for the Publick, and also for the said University and City, that the Expenditure of the said Sums should be under the Direction and Management of the Trustees for putting this Act in Execution: Be it therefore enacted, That, from and after the said First Day of *June* One thousand seven hundred and ninety-seven, the Clerk of the said Trustees for the Time being, shall be, during the Continuance of this Act, and he is hereby constituted

and Pay-
ments.

To be col-
lected by
the Clerk
of the
Trustees.

¹ 35 Eliz. c. 7 (*supra*).

² 3 Car. I. c. 5 [c. 4., Ruff.], and 16 Car. I. c. 4.

and appointed the Deputy of the said Vice Chancellor and A. D. 1797.
 Mayor for collecting the said Annual Sums, and the said Clerk for the Time being shall and may demand and receive the said respective Sums of the Surveyor or Surveyors of the Highways for the Time being, of each respective Parish and Township, as the same shall become due; and in Default of Payment by any of the said Surveyors of the Highways, for the Space of Seven Days after the same shall be due, and Demand thereof made in Writing, under the Hand of the Clerk to the said Trustees, it shall and may be lawful for the said Clerk, by virtue of this Act, and without any other Warrant or Authority whatsoever for so doing, to levy the same by Distress and Sale of the Goods of such Surveyor or Surveyors, returning the Overplus (if any be) upon Demand, after deducting thereout the Charges of such Distress and Sale; and it shall and may be lawful to and for the said Surveyor or Surveyors who shall have paid such Sums, or on whom such Distress shall have been made, to reimburse themselves such Sums so paid or distrained for, by collecting the same of the Person whose Estates have usually been chargeable therewith, or by such other Means as, according to the Laws now in being, Surveyors of the Highways are to be reimbursed the Monies by them expended in buying Materials for amending the Highways; and the said Clerk of the said Trustees shall pay the Sums so received by him to the Treasurer of the said Road for the Time being, to be applied for the Purposes of this Act.

[Section 58 declares the Act to be a public Act.]

37^o GEO. III. CAP. CLXXIX.

An Act for amending, altering, improving, and keeping in Repair the Road leading from the Town of *Cambridge* into the old North Road, near *Arrington Bridge*, all in the County of *Cambridge*.
[19th July 1797.]

A. D. 1797. [By section 1 'the Heads of the respective Colleges in the University of *Cambridge* for the Time being, the Rectors and Vicars of the Parishes of *Great* and *Little Eversden*, and *Orwell*, in the said County of *Cambridge*, for the Time being, the Mayor of the Town of *Cambridge* for the Time being', are with other Persons appointed Trustees for the purposes of this Act. Section 3 imposes a property qualification on the trustees. Section 61 provides that the Act shall continue for twenty-one years from its passing and from thence to the end of the then next Session of Parliament.¹ Section 62 declares the Act to be a public Act.]

38^o GEO. III. CAP. V.

An Act for granting an Aid to His Majesty by a Land Tax, to be raised in *Great Britain*, for the Service of the Year One thousand seven hundred and ninety-eight. [30th November 1797.]

[This was the last of the annual Land Tax Acts. The Land Tax properly so called was made perpetual and redeemable by 38 Geo. 3. c. 60 (*infra*).]²

Colleges, &c. in the Universities, etc. not chargeable;

XXV. Provided, That nothing in this Act contained shall extend to charge any College or Hall in either of the Two Universities of *Oxford* or *Cambridge*, or the Colleges of *Windsor*, *Eaton*, *Winton*, or *Westminster*, or the Corporation of the Governors of the Charity for the Relief of the Poor Widows and Children of Clergymen, or the College of *Bromley*, or any Hospital in *England*, *Wales*, or *Berwick upon Tweed*, for or in respect of the Scites of the said Colleges, Halls, or Hospitals, or any of the Buildings

¹ The Act was further continued by 57 Geo. 3. c. lxxviii for twenty one years from the expiration of its term and from thence to the end of the then next Session of Parliament; and that Act was continued by Annual Turnpike Acts Continuance Acts till the 1st of November, 1870, the date fixed by 32 & 33 Vict. c. 90, and confirmed by 33 & 34 Vict. c. 73 for its expiration.

² For note on Subsidy and Land Tax Acts see Appendix IV.

within the Walls or Limits of the said Colleges, Halls, or Hospitals; or any Master, Fellow, Scholar, or Exhibitioner of any such College or Hall, or any Reader, Officer, or Master¹ of the said Universities, Colleges, or Halls; or any Masters or Ushers of any Schools in *England, Wales, or Berwick upon Tweed*, for or in respect of any Stipend, Wages, Rents, Profits, or Exhibitions whatsoever, arising or growing due to them, in respect of the said several Places or Employments in the said Universities, Colleges, or Schools; or to charge any of the Houses or Lands, which, on or before the Five and twentieth Day of *March* One thousand six hundred and ninety-three, did belong to the Scites of any College or Hall in *England, Wales, or Berwick upon Tweed*, or to *Christ's Hospital, Saint Bartholomew, Bridewell, Saint Thomas, and Bethlehem Hospitals*, in the City of *London*, and Borough of *Southwark*, or any of them; or to the said Corporation of the Governors of the Charity for the Relief of the poor Widows and Children of Clergymen, or the College of *Bromley*; or shall extend to charge any other Hospitals or Alms-houses in *England, Wales, or Berwick upon Tweed*, for or in respect only of any Rents or Revenues which, on or before the said Five and twentieth Day of *March* One thousand six hundred and ninety-three, were payable to the said Hospitals or Alms-houses, being to be received and disbursed for the immediate Use and Relief of the Poor of the said Hospitals and Alms-houses only.

A. D. 1797.
nor any of the Houses or Lands which, before *March* 25, 1693, did belong to *Christ's Hospital, &c.* or to the Corporation for Relief of Clergymens Sons, *etc.* or *Bromley* College, or any other Hospitals, *etc.*

XXVI. Provided, That no Tenants that hold and enjoy any Lands or Houses by Lease or other Grant from the said Corporation, or any of the said Hospitals or Alms-houses, do claim or enjoy any Freedom, Exemption, or Advantage, by this Act; but that all the Houses and Lands, which they so hold, shall be rated and assessed for so much as they are yearly worth, over and above the Rents reserved and payable to the said Corporation, or to

No Tenants of Hospitals, *etc.* to claim any Exemption.

¹ The word 'Master' was erroneously substituted in the corresponding clause of 7 Geo. 1. c. 4 and all later Annual Land Tax Acts for 'Minister', the word used in all previous Acts from the time of the Commonwealth.

A. D. 1797. the said Hospitals or Alms-houses, to be received and disbursed for the immediate Support and Relief of the Poor of the said Hospitals and Alms-houses.

Such Tenants not discharged who by Leases are obliged to pay Taxes.

XXVII. Provided always, That nothing in this Act contained shall be construed or taken to discharge any Tenant of any of the Houses or Lands belonging to the said Colleges, Halls, or Hospitals, Alms-houses or Schools, or any of them, who by their Leases or other Contracts, are and do stand obliged to pay and discharge all Rates, Taxes, and Impositions whatsoever; but that they, and every of them, shall be rated, and pay all such Rates, Taxes, and Impositions; any Thing in this Act contained to the contrary notwithstanding.

Commissioners to determine how far Lands, &c. belonging to Hospitals, &c. not exempted by Name, ought to be charged.

XXVIII. And in case any Question hath been or shall be made, how far any Lands or Tenements belonging to any Hospital or Alms-house in *England, Wales, or Berwick upon Tweed*, not exempted by Name out of this Act, ought to be assessed and charged to the Land Tax; be it enacted and declared, That the same shall be determined, by the said Commissioners, or any Three or more of them, or the major Part of them then present, upon Appeal before them at the Day or Days by them appointed for the hearing and determining of Appeals; whose Determination in such Case shall be final.

All Lands or Revenues belonging to any Hospitals, &c. which were assessed by Act 4 *Gul. & Mar.* shall be liable to this Act, &c.

XXIX. Provided always, and it is hereby enacted, That all such Lands, Revenues, or Rents, belonging to any Hospital or Alms-house, or settled to any charitable or pious Use, as were assessed in the Fourth Year of the Reign of Their late Majesties King *William* and Queen *Mary*, shall be, and are hereby adjudged to be liable to be charged towards the Payment of this present Aid; and that no other Lands, Tenements, or Hereditaments, Revenues, or Rents whatsoever then belonging to any Hospital or Alms-house, or settled to any charitable or pious Uses, as aforesaid, shall be charged, taxed, or assessed, by virtue of this present Act, towards the said Sum to be raised in *England, Wales, and Berwick upon Tweed*, as aforesaid; any Thing herein contained to the contrary notwithstanding.

38^o GEO. III. CAP. XL.

An Act for repealing the Duties on Houses, Win- A. D. 1798.
dows, and Lights, on Inhabited Houses, and on
Clocks and Watches; and for granting to His
Majesty other Duties on Houses, Windows, and
Lights, and on Inhabited Houses, in lieu thereof.¹

[10th May 1798]

[This Act repealed the duties on Houses and Windows
imposed by 6 Geo. 3. c. 38, 24 Geo. 3. Sess. 2. c. 38
(see notes to 20 Geo. 2. c. 3 (*supra*) and 32 Geo. 3.
c. 2 (*supra*)), and 37 Geo. 3. c. 105, and the duties on
inhabited houses imposed by 19 Geo. 3. c. 26 (see note
to 18 Geo. 3. c. 26 (*supra*)), and imposed new duties.]

VI. And be it further enacted, That every Chamber or Apartment, in any of the Inns of Court or of Chancery, or in any College or Hall in any of the Universities of *Great Britain*, or in any Hall or Office belonging to any Person or Persons, Body or Bodies Politick or Corporate, or any Publick Hospital, being severally in the Tenure and Occupation of any Person or Persons chargeable to the said Rates and Duties, containing Eight Windows or Lights, or under, shall be charged thereto at the Rate of Two Shillings for every such Window or Light; and every such Chamber or Apartment, which shall contain more than Eight Windows or Lights, shall be subject to the Duties granted by this Act as if the same was an entire House.

Apartment-
ments in
Inns of
Court, &c.
containing
eight Win-
dows, or
under, to
be charged
2s. for
each; and
above that
Number, as
an Entire
House.

38^o GEO. III. CAP. LX.

An Act for making perpetual, subject to Redemption
and Purchase in the Manner therein stated, the

¹ Additional duties were imposed and consolidated with those payable under this Act by 42 Geo. 3. c. 34. The provisions for the collection of the consolidated duties practically superseded those contained in this Act, s. 6 of which was in effect re-enacted in s. 8 of the later Act, except that the rate on chambers or apartments with eight windows or under was raised to three shillings per window. See further 43 Geo. 3. c. 161 (*infra*).

A.D. 1798.

several Sums of Money now charged in *Great Britain* as a Land Tax for One Year, from the Twenty-fifth Day of *March* One thousand seven hundred and ninety-eight.¹ [21st *June* 1798.]

[Section 1 makes the Land Tax perpetual subject to redemption or purchase.

Sections 2, 3 except from the operation of the Act the rates on personal Estate, offices, and pensions, as to which see 39 Geo. 3. c. 3 (*infra*).

Sections 4-18 provide powers for redeeming and purchasing land tax.

Section 19 empowers corporations and trustees for public purposes to sell mortgage or grant rent charge on part of the lands charged for the purpose of redeeming the land tax but subject to the following proviso.]

Ecclesiastical Persons, Fellows of Colleges, &c. to be subject to the same Restraints as at present.

XIX. . . . Provided always, That nothing herein-before contained shall be construed to extend to authorize any Sale, Conveyance, or Mortgage or Grant of any Rent Charge . . . by any Master or Fellows of any College . . . without such Consent as by Law was required for that Purpose before the making of any Statute or Statutes for restraining the Sales, Conveyances, Mortgages, or Grants of such Persons, Bodies Politick or Corporate, or any of them, or for disabling such Persons, Bodies Politick or Corporate, from making any such Sales, Conveyances, Mortgages, or Grants, or any of them.

39^o GEO. III. CAP. III.

An Act for continuing and granting to His Majesty a Duty on Pensions, Offices, and Personal Estates, in *England, Wales*, and the Town of *Berwick upon Tweed*; and certain Duties on Sugar, Malt,

¹ For note on Subsidy and Land Tax Acts see Appendix IV.

Tobacco, and Snuff, for the Service of the Year A. D. 1798.
One thousand seven hundred and ninety-nine.¹

[17th December 1798.]

[Section 3 imposing a tax of 4s. in the pound on annuities pensions stipends and other yearly payments, excepts 'Annuities or yearly Payments, which, by any Act or Acts of Parliament made, or to be made, are or shall be especially exempted from the Payment of Taxes or Aids'.

Section 7 incorporates 'all and every the Powers, Rules, Penalties, Forfeitures, Clauses, Matters, and Things' provided and established by 38 Geo. 3. c. 5 (*supra*) 'for ascertaining, raising, levying, mitigating, adjudging, paying, and managing the Rates and Assessments granted by the said Act'.]²

39^o GEO. III. CAP. XIII.

An Act to repeal the Duties imposed by an Act, A. D. 1799.
made in the last Session of Parliament, for grant-
ing an Aid and Contribution for the Prosecution

¹ For note on Subsidy and Land Tax Acts see Appendix IV.

² These clauses were re-enacted in the annual Acts imposing the Duty on Personal Estate, Offices, and Pensions down to and including 6 Geo. 4. c. 9.

In the annual Act 48 Geo. 3. c. 2 a further clause (s. 42) was inserted providing that the Act should not charge or authorize the deducting or assessing the duty 'in respect of any Office or Employment of Profit, or upon any Annuity, Pension, Stipend, or other yearly Payment in any case in which the Pension, Annuity, Salary, Wages, Fees, Perquisites, Gratuities, Stipend, or other Payment yearly or otherwise shall have been specially exempted from any or either of such Duties, or from the Payment of any Aids or Taxes by any Act of Parliament'. This clause was also repeated in the annual Acts down to 6 Geo. 4. c. 9.

The provisions of 6 Geo. 4. c. 9 were incorporated by reference in subsequent annual Acts, and by 6 & 7 Will. 4. c. 97 by which the duty on offices and pensions was made perpetual (the duty on personal estate having been abolished by 3 & 4 Will. 4. c. 12). The duty on offices and pensions was abolished in 1877 in all cases where it was assessed by Land Tax Commissioners, but not where deducted before payment from salaries and pensions payable out of public revenue (39 & 40 Vict. c. 16. s. 12; 40 & 41 Vict. c. 10).

A. D. 1799. of the War ; and to make more effectual Provision for the like Purpose, by granting certain Duties upon Income, in lieu of the said Duties.¹

[9th January 1799.]

[Section 1 recites that the provisions of 38 Geo. 3. c. 16, which had imposed additional taxes on male servants, horses, houses, windows, dogs, clocks, and watches, with exemption for persons having incomes of less than £60 a year and abatements limiting the amounts to be assessed to certain varying proportions on incomes under £200 a year, and to 10 per cent. on incomes of that amount or upwards, and with further abatements for persons having more than four children born in wedlock—had in sundry instances been greatly evaded, and repeals that Act subject to immaterial exceptions.

Section 2 imposes a tax upon incomes of £60 a year and upwards corresponding with the maximums leviable under the repealed Act, the tax to be assessed by Commissioners to be appointed under the Act.²

Section 3 gives abatements in respect of children born in wedlock.]

Nor Corporations, &c. established for charitable Purposes only.

V. Provided also, and be it further enacted, That no Corporation, Fraternity, or Society of Persons established for Charitable Purposes only, shall be chargeable under this Act, in respect of the Income of such Corporation, Fraternity, or Society.

[Section 87 renders liable to duty revenues of corporations not applicable to charitable purposes.]

No Corporation, &c. shall be chargeable in respect of

LXXXVIII. Provided always, and be it further enacted, That no such Bodies Politick or Corporate, Companies, Fraternities, or Societies aforesaid, shall be charged or chargeable, in respect of any Income, which, according

¹ The duties imposed by this Act were repealed by 42 Geo. 3. c. 42. A new income tax was imposed the following year by 43 Geo. 3. c. 122 (*infra*).

² As to the qualification of Commissioners for the Universities see 39 Geo. 3. c. 22 (*infra*).

to the Rules or Regulations of such Corporations, Companies, Fraternities, or Societies, shall be applicable to charitable Purposes, or to the Payment of any Annual Dividends or Interest to arise and become payable to any individual Members of such Corporations or Publick Companies, or to any other Persons or Publick Bodies, having any Share, Right, or Title of, in, or to any Capital Stock or other Property belonging to such Corporations or Publick Companies, nor in respect of which any Dividends or Interest shall, according to such Rules and Regulations, become payable; provided that such Person or Persons, Corporations, Companies, Fraternities, or Societies, to whom such Dividends or Interest shall be payable, shall be charged and chargeable in respect thereof, according to the Amounts thereof, and the Rates before specified, as and when the same shall be received by them respectively, other than and except Dividends and Interest the Property of Persons not the Subjects of His Majesty, and not resident in this Kingdom, and that an Account of the Amount of such Dividends and Interest be delivered to such Inspector or Surveyor as shall be authorized for that Purpose under the Hands of Three or more of the Commissioners for the Affairs of Taxes, upon Demand thereof, by the same Persons, and in the same Manner, as the Statements of the Income of such Corporations, Companies, Fraternities, and Societies, are required to be delivered.

LXXXIX. Provided also, and be it further enacted, That no Corporate City, Borough, Town, or Place, shall be liable to be charged in respect of such Portion of the Income belonging to such Corporation as shall be appropriated by any Act, Statute, or Bye Law, towards defraying the Expences incident to the Civil Government of such Corporation, and that no Body Politick, Corporate, or Collegiate, shall be liable to be charged in respect of such Part of its Income which by virtue of any Private Statutes or Charter, or of any Will or other Instrument of Endowment belonging to or for the Establishment or Confirmation of the Constitution of such Body Politick, Corporate, or Collegiate,

A. D. 1799:
Income applicable to charitable Purposes, nor the Dividends on which are paid to individual Members: Such Dividends shall be chargeable in the Hands of the Person entitled thereto as they are payable, except Dividends payable to Foreigners not resident in this Kingdom; the Amount of which is to be delivered to an Inspector, &c. in the same Manner as Statements of Income under this Act.

No Corporate City, etc. shall be charged for Income appropriated to the Expences of its Government, nor Collegiate Bodies, etc. for Income applied to the Main-

A. D. 1799. shall be appropriated to the Maintenance, Subsistence, or Advancement of any Masters, Fellows, Students, or Members thereof; provided that in every Case where such Exemption shall be claimed, an Account thereof shall be made up in the usual Form for each Year during the Term herein mentioned and allowed by the said Commissioners, and that the Persons to whose Use such Income shall be applied, shall be chargeable in respect thereof, as in other Cases under this Act.

tenance of
Fellows,
etc. but
the Ac-
counts
shall be
made up
annually,
and the
Parties
benefited
shall be
charged.

39^o GEO. III. CAP. XXII.

An Act for extending the Time for returning Statements under an Act, passed in the present Session of Parliament, intituled, *An Act to repeal the Duties imposed by an Act, made in the last Session of Parliament, for granting an Aid and Contribution for the Prosecution of the War; and to make more effectual Provision for the like Purpose, by granting certain Duties upon Income, in lieu of the said Duties*;¹ and to amend the said Act.²

[21st March 1799.]

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Com-
mis-
sioners for
the Uni-
versities to
be of the
Degree of
M.A. or
LL.B.,
and Mas-
ters or
Fellows of
Colleges
resident
therein;
such
Degrees,

VIII. And be it further enacted, That every Commissioner to be appointed for the respective Universities of *Oxford* and *Cambridge* shall be of the Degree of Master of Arts, or Bachelor of Laws, or some higher Degree, and shall be a Master or Fellow of a College or Hall there, and resident therein; and that no other Qualification shall be required of any such last mentioned Commissioners, who shall act in the Execution of the said Act, by virtue of their Degrees and Promotions in such Universities and Colleges, than the Possession thereof respectively, and Residence

¹ Cap. 13 (*supra*).

² The duties payable under this Act were repealed by 42 Geo. 3. c. 42.

there as aforesaid; and that no such Master or Fellow, A. D. 1799.
resident as aforesaid, shall be liable to any Penalty inflicted *etc. to be a*
by the said first mentioned Act¹ for acting in the Execu- *sufficient*
tion thereof as aforesaid, without being possessed of any *Qualifica-*
other Qualification than such Degrees and Promotions as
aforesaid.

39^o GEO. III. CAP. LXXIII.

An Act for exempting certain specifick Legacies
which shall be given to Bodies Corporate, or other
Publick Bodies, from the Payment of Duty; and
also the Legacy of Books and other Articles given
by the Will of the late Reverend *Clayton Mor-*
daunt Cracherode to the Trustees of the *British*
Museum. [12th July 1799.]

WHEREAS it is expedient that certain specifick Preamble.

Legacies given to Bodies Corporate, and other
Publick Bodies and Societies, should be exempted from the
Duties imposed on Legacies; be it enacted by the King's
most Excellent Majesty, by and with the Advice and
Consent of the Lords Spiritual and Temporal, and Commons,
in this present Parliament assembled, and by the Authority
of the same, That, from and after the passing of this Act,
no Legacy, consisting of Books, Prints, Pictures, Statues,
Gems, Coins, Medals, Specimens of Natural History, or
other specifick Articles, which shall be given or bequeathed
to or in Trust for any Body Corporate, whether Aggregate
or Sole, or to the Society of *Serjeants Inn*, or any of the
Inns of Court or Chancery, or any endowed School, in order
to be kept and preserved by such Body Corporate, Society,
or School, and not for the Purposes of Sale, shall be liable
to any Duty imposed on Legacies by any Law now in force.²

No Legacy
of Books
&c. be-
queathed
to any
Body Cor-
porate,
&c. to be
preserved,
shall be
liable to
any Duty.

[Section 2 relates to Mr. Cracherode's bequest.]

¹ Cap. 13 (*supra*).

² This exemption is repeated in the Schedule annexed to the Stamp Act,
55 Geo. 3. c. 184 (*infra*).

39^o GEO. III. CAP. LXXIX.

A. D. 1799. An Act for the more effectual Suppression of Societies established for Seditious and Treasonable Purposes; and for better preventing Treasonable and Seditious Practices.¹ [12th July 1799.]

[Sections 15-21 repeat in substance, but with reduced penalties, the provisions of 36 Geo. 3. c. 8 (*supra*) prohibiting lectures, discourses, or public debates on any subject whatever for the purpose of raising money or on payment for admission in any place not licensed under the Act.]

Not to extend to Lectures delivered in the Universities, or the Hall of any of the Inns of Court, or by the Professors in *Gresham* College. Payments to Schoolmasters not deemed Payments for Admission to Lectures.

XXII. Provided always, That nothing in this Act contained shall extend, or be construed to extend, to any Lecture or Discourses to be delivered in any of the Universities of these Kingdoms by any Member thereof, or any Person authorized by the Chancellor, Vice Chancellor, or other proper Officers of such Universities respectively, or to any Lecture or Discourse to be delivered in the Publick Hall of any of the Inns of Court or Chancery, by any Person authorized by the Benchers of the Inns of Court, or by the Professors in *Gresham* College; and that no Payment made to any Schoolmaster, or other Person allowed to teach and instruct Youth, in respect of any Lectures or Discourses delivered by such Schoolmaster or other Person, for the Instruction only of such Youth as shall be committed to his Instruction, shall be deemed a Payment of Money for Admission to such Lectures or Discourses, within the Intent and Meaning of this Act.

[Sections 23-33 require notice to be given to the Clerk of the Peace by every person using printing presses, and make other regulations with regard to printers.

Section 27 requires printers to print their names and addresses on every paper or book printed by them.]

Not to extend to

XXIV. Provided also, That nothing herein contained

¹ Section 27 was repealed by 2 & 3 Vict. c. 12. s. 1 (*infra*), and ss. 15-33 and so much of ss. 34-39 as relates to those sections by 32 & 33 Vict. c. 24. s. 1 (*infra*). As to the present law with regard to printing the names and addresses of printers see those Acts.

shall extend to His Majesty's Printers for *England* and *Scotland*, or to the Publick Presses belonging to the Universities of *Oxford* and *Cambridge* respectively.

A. D. 1799.
His Majesty's
Printers, or
the Uni-
versities in
England.

39° & 40° GEO. III. CAP. XXX.

An Act for extending, from the Twenty-fifth Day of *March* One Thousand eight hundred, until the Twenty-fifth Day of *March* One thousand eight hundred and one, the Period of Preference, granted and continued by several Acts to Bodies Corporate and Persons for the Redemption of Land Tax; and for enlarging several of the Powers contained in the said Acts.¹

[4th April 1800.]

VIII. And be it further enacted That where the Land Tax charged upon the Glebe Lands, Tithes, or other Profits of any Living or Livings in the Patronage of any College, Cathedral Church, Hall, or House of Learning in either of the Universities of *Oxford* and *Cambridge*, or in the Patronage of either of the Colleges of *Eaton* or *Winchester*, or of any Trustee or Trustees for any such College, Cathedral Church, Hall, or House of Learning as aforesaid, shall not have been redeemed or purchased by the Incumbent of such Living or Livings, it shall be lawful for the Corporations of such Colleges, Cathedral Churches, Halls, or Houses of Learning respectively, to purchase or redeem the same on the same Terms as Persons entitled in Remainder to such Glebe Lands, Tithes, or other Profits would be capable of so doing, and to provide for such Purchase or Redemption by a Sale of any Lands or Tenements belonging to such Corporations respectively, or by the Grant of any Rent Charge, which they could or might lawfully make for the Redemption or Purchase of any Land Tax charged on their own Lands, and the Land Tax so redeemed shall be forthwith extinguished; but such

Where the
Land Tax
on the
Glebe, etc.
of any
Living in
the Patron-
age of
Oxford
or *Cam-
bridge*, or
Eaton or
*Winches-
ter*, shall
not have
been pur-
chased by
the Incum-
bent, the
Corporations may
purchase
it as Per-
sons en-
titled in
Remain-
der, and
may sell
Lands for
that Pur-
pose; but
the Col-
lege, etc.

¹ For note on Subsidy and Land Tax Acts see Appendix IV.

A. D. 1800. College, Cathedral Church, Hall, or House of Learning shall be entitled to a Rent Charge equivalent to the Amount, unless it shall be declared in Writing, that the Rent Charge shall be suspended. respectively shall nevertheless be entitled to an annual Rent Charge issuing out of such Living, equivalent to the Amount of such Land Tax, which shall be recoverable by Action, Suit, Distress, or any other Means, by which Rents reserved by Leases are recoverable at Law, unless it shall be declared in Writing, under the Common Seal of the Body or Bodies having such Right of Patronage or Nomination, at the Time of presenting or nominating any Clerk or Clerks to such Living or Livings, that such Rent Charge shall be suspended during his or their Incumbency or respective Incumbencies; which Declaration the Body or Bodies entitled to nominate to such Living or Livings shall from Time to Time be competent to make; and such Suspension shall be without Prejudice to the Right of the said Body or Bodies to recover the same after the next or any future Avoidance: Provided always, That any Declaration made by such last mentioned Bodies, or any of them, at the Time of redeeming the said Land Tax, shall be as available during the Incumbency of the then Rector, Vicar, or Curate, as if it had been made at the Time of his being preferred to such Living.

39^o & 40^o GEO. III. CAP. XLI.

An Act for explaining and amending several Acts, made in the Thirty-second Year of King *Henry* the Eighth, and the First, Thirteenth, and Fourteenth Years of the Reign of Queen *Elizabeth*, so far as respects Leases granted by Archbishops, Bishops, Masters and Fellows of Colleges, Deans and Chapters of Cathedral and Collegiate Churches, Masters and Guardians of Hospitals, and others having any Spiritual or Ecclesiastical Living or Promotion.¹ [16th May 1800.]

¹ As to college leases see note to 13 Eliz. c. 10 (*supra*).

WHEREAS doubts have arisen whether Archbishops, A. D. 1800.
 Bishops, Masters, and Fellows of Colleges, Deans Preamble.
 and Chapters of Cathedral and Collegiate Churches,
 Masters and Guardians of Hospitals, and others having
 any Spiritual or Ecclesiastical Living or Promotion, who
 are by several Acts, passed in the Reigns of Their late
 Majesties King *Henry* the Eighth and Queen *Elizabeth*,
 restrained from granting any Leases of their Estates
 whereon the accustomed yearly Rent is not reserved, can
 lawfully grant separate Leases of Parts of Lands or Tene-
 ments which have been usually demised by One Lease
 and under One Rent, reserving on the several Parts so
 demised less than the Rent anciently reserved on the
 Demise of the Whole, though the Aggregate Amount of
 the Rents so reserved on such separate Demises should be
 equal to or exceed the Amount of the annual accustomed
 Rent for the Whole: And whereas many such separate
 Leases have been granted, and great Inconvenience may
 arise to Persons claiming under such Leases, if such Leases
 should not be deemed valid and effectual, in case the
 Amount of the Rent anciently reserved on Demises of
 the Whole shall appear to have been reserved on the
 separate Demises of the different Parts; and the Power of
 dividing Tenements, anciently so demised in One Parcel
 at One Rent, may in many Cases tend to improve the
 Value of the Estates belonging to such Ecclesiastical
 Persons and Bodies respectively, as well as to the Benefit
 of their Lessees and the Publick; may it therefore please
 Your Majesty that it may be enacted; and be it enacted
 by the King's most Excellent Majesty, by and with the
 Advice and Consent of the Lords Spiritual and Temporal,
 and Commons, in this present Parliament assembled, and
 by the Authority of the same, That in all Cases where any
 Honours, Castles, Manors, Messuages, Lands, Tythes,
 Tenements, or other Hereditaments, being Parcel of the
 Possessions of any Archbishop, Bishop, Master, and
 Fellows, Dean and Chapter, Master or Guardian of any
 Hospital, or any other Person or Persons, or Body or

Where any
 Part of the
 Posses-
 sions of
 any Arch-
 bishop, &c.
 or Person
 having any
 Ecclesias-

A. D. 1800. Bodies Politick or Corporate, having any Spiritual or Ecclesiastical Living, shall be demised by several Leases, which was formerly demised by One, or where a Part shall be demised for less than the ancient Rent, and the Residue shall be retained in the Possession of the Lessor, the several Rents reserved on the separate Demises of the specific Parts shall be taken to be the ancient Rents within the Meaning of 32 Hen. VIII, Cap. 28, 1 Eliz. Cap. 19, 13 Eliz. Cap. 5, and 14 Eliz. Cap. 11.¹

Bodies Politick or Corporate, having any Spiritual or Ecclesiastical Living or Promotion, and having been anciently or accustomably demised by One Lease under One Rent, or divers Rents issuing out of the Whole, now are or shall hereafter be demised by several Leases to One or several Persons under an apportioned or several Rents, or where a Part only of such Honours, Manors, Messuages, Lands, Tythes, Tenements, or other Hereditaments as last mentioned, are or shall be demised by a separate Lease or Leases, under a less Rent or less Rents than was or were accustomably reserved for the Whole by such former Lease, and the Residue thereof is or shall be retained in the Possession or Occupation of the Lessor or Lessors, the several and distinct Rents reserved on the separate Demises of the several specifick Parts thereof comprized in and demised by such several Leases, shall be deemed and taken to be the ancient and accustomed Rents for such specifick Parts respectively, within the Intent and Meaning of an Act, passed in the Thirty-second Year of the Reign of His late Majesty King *Henry* the Eighth, intituled, *Lessees to enjoy the Farm against the Tenants in Tail*; and of an Act, passed in the First Year of the Reign of Her late Majesty Queen *Elizabeth*, intituled, *An Act giving Authority to the Queen's Majesty, upon the Avoidance of any Archbishop or Bishop, to take into Her Hands certain of the temporal Possessions thereof, recompensing the same with Parsonages impropriate and Tythes*; and of another Act, passed in the Thirteenth Year of the same Queen, intituled, *Fraudulent Deeds made by Spiritual Persons, to defeat their Successors of Remedy for Dilapidations, shall be void, &c.* and of another Act, passed in the Fourteenth Year of the Reign of the same Queen, intituled, *An Act for the Continuation, Explanation, perfecting, and enlarging of divers Statutes.*

Demise made before passing this Act not

II. Provided always, That nothing herein contained shall extend to confirm or render valid any Demise made before the passing of this Act, unless the several Rents reserved upon the separate Demises of separate Parts of Tenements,

¹ *Supra.*

theretofore accustomedly demised under One entire Lease, shall be equal to or more than the Rent or Rents theretofore accustomedly reserved on the entire Demise of the Whole, or in case the Whole should not be demised, but Part reserved in the Possession of the Lessor or Lessors, unless the Rents reserved on the Parts demised should be so far equal to or more than the whole Amount of the ancient Rent or Rents, that the Part not demised should be sufficient to answer the Difference.

III. Provided also, That where the Whole of any such Honours, Castles, Manors, Messuages, Lands, Tythes, Tenements, or other Hereditaments, accustomedly demised by One Lease, shall be demised in Parts by several Leases after the passing of this Act, the aggregate Amount of the several Rents which shall be reserved by such separate Leases, be not less than the old accustomed Rent or Rents theretofore reserved by such entire Lease; and that where a Part only shall be so demised by any such separate Lease, and the Residue shall be retained in the Possession of the Lessor or Lessors, the Rent or Rents to be reserved by such separate Lease or Leases, shall not be less, in Proportion to the Fine or Fines to be received on granting such Lease or Leases, than the Rent or Rents accustomed to be reserved for the Whole of the said Premises, was in Proportion to the Fine received on granting the last entire Lease.

IV. Provided also, That no greater Proportion of the accustomed Rent be reserved by any separate Lease hereby confirmed or allowed to be granted, than the Part of the Premises thereby severally demised will reasonably bear and afford a competent Security for.

V. Provided also, That where any specifick Thing, incapable of Division or Apportionment shall have been reserved or made payable to the Lessor or Lessors, his or their Heirs or Successors, either by Way of Rent, or by any Covenant or Agreement contained in any such entire Lease, the same may be wholly reserved and made payable out of a competent Part of such Lands or Tenements demised by any such several Lease as aforesaid; and in

A. D. 1800.
valid, unless the Rents reserved be equal to or more than the Rents accustomedly reserved, *etc.*

Where the Whole of such Premises shall be demised in Parts, the aggregate Rents reserved shall not be less than the old accustomed Rent, and so in Proportion where a Part shall be retained in Possession by the Lessor.

No greater Proportion of the accustomed Rent shall be reserved by any separate Lease than the Premises demised will bear.

Where any specifick Thing shall have been reserved by the Lessor, it may be

A. D. 1800. case, in any Lease already granted, and intended hereby to be confirmed, any such Provision shall appear to have been made for the Payment and Delivery of any such Sum or Sums of Money, Stipends, Augmentations, or other Things as aforesaid, the same shall be deemed and taken to have been lawfully made, in case the Lands and Tenements charged therewith shall be of a greater annual Value than the Payment or other Things so charged, exclusive of the Rent or other annual Payment reserved to the Lessor or Lessors.

No Lease confirmed whereon no annual Rent to the Lessor is reserved.

VI. Provided further, That nothing herein contained shall extend to authorize or confirm any Lease whereon no annual Rent is or shall be reserved to the Lessor or Lessors, his or their Successors or Assigns.

Not to authorize the Reservation of any Rent on any such Lease made by any Master, &c. of any College in the Universities, etc. in any other Manner than is required by 18 Eliz.¹

VII. Provided also, and be it further enacted, That this Act, or any Thing herein contained, shall not authorize the Reservation or Payment of any Rent or Rents upon any such several Lease made or to be made under Authority of this Act, by any Master, Provost, President, Warden, Dean, Governor, Rector, or Chief Ruler of any College, Cathedral Church, Hall or House of Learning, in the Universities of *Oxford* and *Cambridge*, or by the Warden or other Head Officer of the Colleges of *Winchester* and *Eaton*, in any other Manner or Proportions than is required by an Act passed in the Eighteenth Year of the Reign of Her said late Majesty Queen *Elizabeth*, intituled, *An Act for Maintenance of the Colleges in the Universities, and of Winchester and Eaton*.

Where Payments have been reserved to Vicars, &c. other than the Lessors, Provision shall be made in Leases for the future Payment thereof,

VIII. Provided also, That where any such accustomedly entire Leases as aforesaid shall have usually contained Covenants on the part of the Lessee or Lessees for the Payment or Delivery, or shall have in any other Manner subjected or charged such Lessee or Lessees to or with the Payment or Delivery of any Sum or Sums of Money, Stipend, Augmentation, or other Thing, to or for the Use of any Vicar, Curate, Schoolmaster, or other Person or Persons, other than and besides the Lessor or Lessors,

¹ Cap. 6 (*supra*).

and his or their Heirs or Successors, all or any such Leases as shall hereafter be granted of the same Lands or Tenements in Severalty as aforesaid, shall and may lawfully provide for the future Payment and Delivery of such Sum or Sums of Money, Stipends, Augmentations, or other Things, by and out of any Part or Parts of the Lands or Tenements accustomedly charged therewith, not being of less annual Value than Three Times the Amount of the Payment so to be charged thereon, exclusive of the Proportion of Rent or other annual Payments to be reserved to the Lessor or Lessors.

A. D. 1800.
out of Premises of Three Times the annual Value.

IX. Provided always, That nothing in this Act shall extend to establish or confirm the Claim of any Vicar, Curate, Schoolmaster, or other Person or Persons, to any such Sum or Sums, Salary, Stipend, or other Thing as aforesaid, the Payment and Continuance whereof shall depend only on the Will of the Person or Persons, or Body or Bodies Politick or Corporate, granting or renewing such Lease or Leases respectively.

Not to confirm the Claim of any Vicar, *etc.* to such Payment, where it depends only on the Will of the Person granting or renewing the Lease.

X. And be it further enacted, That where any Person or Persons now holding, or who shall hereafter hold, any such Lease or Leases as in this Act mentioned, shall or may hold the same, or any specifick Part of the Lands or Tenements thereby demised, in Trust for any other Person or Persons, or for any Body or Bodies Politick or Corporate, or shall have granted any Under Lease or Under Leases of any specifick Part or Parts of his, her, or their respective Holdings, and be under any Covenant or Engagement for Renewal thereof to any other Person or Persons, Body or Bodies Politick or Corporate, when and as often as his, her, or their own Lease or Leases shall be renewed, it shall and may be lawful for such Person or Persons as first mentioned, at any Time or Times after the passing of this Act, to surrender his, her, or their Lease or Leases, in order that separate and distinct Leases may be granted by the original Lessor or Lessors of such specifick Parts of the same Premises as shall have been held in Trust, or subject to such Covenants or Engagements for Renewal as afore-

Persons holding such Leases in Trust, or granting Under Leases of specifick Parts under Covenants of Renewal, may surrender them, that separate Leases may be granted by the original Lessors to the Cestuique Trusts and Under Lessees on reasonable Terms, subject to

A. D. 1800. said, to the respective Under Lessees and Cestuique Trusts, the accustomed Rent, *etc.* upon fair and reasonable Terms, subject to an Apportionment of the accustomed Rent or Rents, and other Payments, according to the Intent and Meaning of this Act; and every such Surrender so made, and the new Leases to be granted thereon, according to the Intent and Meaning of this Act, shall be good and effectual in Law and Equity, notwithstanding such Under Lessees and Cestuique Trusts, or any of them, shall or may be Infants, Issue unborn, Females Covert, Persons absent from the Realm, or otherwise incapacitated to act for themselves, provided that such new Leases respectively be for the Benefit of the several Persons entitled to the Benefit of such surrendered Lease or Leases respectively, and be expressly so declared in the Body of each such new Leases respectively.

41^o GEO. III. (U.K.) CAP. VIII.

A. D. 1801. An Act for granting to His Majesty certain additional Duties on Paper, Pasteboard, Millboard, and Scaleboard, made in or imported into *Great Britain*; and on Tea imported into and sold in *Great Britain*.¹ [24th March 1801.]

[Section 1 imposes the additional customs and excise duties specified in Schedules A and B and allows the drawbacks of excise specified in Schedules C and D.]

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SCHEDULE C.

DRAWBACKS.

PAPER.

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For all Paper of the First Class which shall contain the Water Mark of the present Year One thousand eight

¹ The duties imposed by this Act were repealed by 42 Geo. 3. c. 94 (*infra*). The Act was repealed by 2 & 3 Vict. c. 23. s. 67 (*infra*).

hundred and one, or of some subsequent Year of our A. D. 1801, Lord, and which shall be used in the printing of any Books in the Latin, Greek, Oriental, or Northern Languages within the University of *Oxford* or *Cambridge*, by Permission of the Vice Chancellor of the same respectively, or within the Universities of *Scotland*, or either of them, by Permission of the Principals of the same respectively, a Drawback of the whole Duty imposed by this Act, which shall have been paid for such Paper.

And for all Paper of the First Class which shall contain the Water Mark of the present Year One thousand eight hundred and one, or of some subsequent Year of our Lord, and which shall be used in the Universities of *Oxford* and *Cambridge*, or either of them, by Permission of the Vice Chancellor of the same, or used by the King's Printers in *England* or *Scotland*, in the printing of Bibles, Testaments, Psalm Books, Books of Common Prayer of the Church of *England*, the Book commonly called or known in *Scotland* by the name of *The Confession of Faith*, or the larger or shorter Catechism of the Church of *Scotland*, a Drawback of Two-pence *per* Pound.¹

41^o GEO. III. (U.K.) *Cap. 140.*¹

An Act for changing the Scite of *Downing College*, in the University of *Cambridge*, and for providing a Fund for the Purchase of such Scite, and erecting the proper Buildings thereon. [2d July 1801.]

[The preamble recites

that Sir George Downing, late of Gamlingay Park, Cambridgeshire, Baronet, deceased, by his will dated on or about the 20th of December 1717 devised all his manors, lands, tenements and hereditaments freehold and copyhold and leasehold for years in the Counties of Cambridge, Bedford, and Suffolk, and

¹ The excise duty was two pence halfpenny per pound.

² P. L. & P.

A. D. 1801.

elsewhere, to trustees all of whom died in his lifetime, to certain uses which have since determined or become incapable of taking effect and subject thereto to purchase with the rents and profits thereof the fee simple of a piece of ground in Cambridge, and erect thereon a College to be called Downing College; that his will was that a charter should be obtained for founding such College and incorporating a body collegiate by that name in the University of Cambridge, to consist of such head or governor, such fellows, scholars, members and other persons, and to be maintained governed and ordered by such laws, rules, and orders, and in such manner, and therein to be professed and taught such useful learning, as the trustees or their heirs by and with the consent and approbation of the Archbishops of Canterbury and York, and the Masters of Saint John's College and Clare Hall in being at the time of the founding of the College should direct prescribe and appoint; and immediately after the founding and incorporation of the College the manors lands &c. to be held upon trust for the Collegiate Body and their successors and the leaseholds upon trust to be assigned to the Persons entitled from time to time under the limitations to the actual possession of the lands of inheritance;

that the testator died in 1749;

that in 1764 an information was exhibited in the Court of Chancery by the Attorney General at the relation of the Chancellor, Masters, and Scholars of the University of Cambridge against Dame Margaret Downing Widow (afterwards the wife of George Bowyer Esquire, who became Sir George Bowyer Baronet and was since deceased), the heirs at law of Sir George Downing, and divers other persons, and by a decree of the 3rd of July, 1769, the Lord Chancellor declared the will and a codicil thereto well proved, and that the same ought to be established and the trusts thereof performed, and particularly the trusts of the

said Charity in case His Majesty should incorporate A. D. 1801.
the College and license it to hold the lands in mortmain,
and made certain declarations as to what lands passed
by the will, and gave directions for enquiries as to the
value of the premises devised to the Charity so that
the heirs of the testator might judge what numbers
of fellows and scholars could be maintained, and the
heirs were to be at liberty to contract for a piece
of ground within the University of Cambridge whereon
to found the College conditionally on a charter and
licence in mortmain being obtained ;
that the suit from time to time abated by the deaths of
parties and was revived, and that by a decretal order
dated the 16th of February, 1795, the decree of the
3rd of July, 1769, was ordered to be prosecuted ;
that the heirs at law of the testator contracted to
purchase 'a certain Piece of Ground within the said
Town and University of *Cambridge*, called Doll's
Close' as a site for the intended College conditionally
on its being incorporated and licensed to hold lands
in mortmain, which contract had been approved by
the Lord Chancellor, and the ground had been con-
veyed to the purchasers ;
that the King had granted a charter dated the 24th of
September, 1800 authorizing the erection on Doll's
Close of a college to be called Downing College,
incorporating the College by the name of 'The Master,
Professors, Fellows, and Scholars of *Downing* College,
in the University of *Cambridge*', and licensing it to
hold the lands devised by the testator, Doll's Close,
and further lands to be acquired not exceeding in
yearly value £1500, appointing a Master, Professors,
and three Fellows, and reserving power to himself to
appoint thirteen more Fellows, and reserving to himself
all visitatorial power and authority over the College ;
that it was apprehended that some more suitable site
might be found for the College ; but that, the Letters
Patent and Decree having authorized Doll's Close as

A. D. 1801.

the site, it was conceived that the site could not be changed without the aid and authority of Parliament.

The Act then authorizes the College under the direction of the Court of Chancery to purchase another site in place of 'Doll's Close', to sell 'Doll's Close', and to borrow on mortgage the sums required for purchasing the new site and building the College thereon. Power is given to persons under disability to sell land required for the site.

Section 12 declares the Act to be a Public Act.]

41^o GEO. III. (U. K.) Cap. 145.¹

An Act for extinguishing the Rights of Common, and other Rights, in and over certain Lands called *Saint Thomas's Leys*, otherwise *Pembroke Leys*, in the several Parishes of *Saint Botolph*, *Saint Andrew the Great*, *Saint Benedict*, and *Saint Mary the Less*, in the Town of *Cambridge*.

[2d July 1801.]

Preamble.

WHEREAS there are certain Lands and Grounds situate in the several Parishes of *Saint Botolph*, *Saint Andrew the Great*, *Saint Benedict*, and *Saint Mary the Less*, in the Town of *Cambridge*, commonly called *Saint Thomas's Leys* otherwise *Pembroke Leys*, and *Gravel Pit Close*, containing by Admeasurement Forty Acres Three Roods or thereabouts: And whereas the Master and Fellows of *Gonville and Caius College*, and the Master, Fellows, and Scholars of *Jesus College*, in the University of *Cambridge*, and *Richard Greaves Townley Esquire*, and divers other Bodies Politick and Corporate, and Persons, are Owners of the said Lands or Grounds; and the said Master, Fellows, and Scholars of *Jesus College*, and *Thomas Panton Esquire*, are respectively entitled to certain

¹ P. L. & P.

Rights of Sheepwalk, and other Rights; and certain Owners and Occupiers of Lands and Tenements in the said Town of *Cambridge*, are entitled to certain Rights of Common from *Lammas* to *Lady Day* in every Year, in and over the same Lands and Grounds, and certain Rights of Way subsist in, over, and upon the same: And whereas the said Lands and Grounds are well calculated for the Purposes of building, and it is in Contemplation to erect thereon the necessary Buildings for *Downing College*, in the University of *Cambridge*, and the said Lands are otherwise capable of very considerable Improvement, in case the same were freed and discharged of the said Rights of Common, and all other Rights, in Manner herein-after directed; but the same cannot be effected without the Aid of Parliament;

[Section I then proceeds to appoint William Custance and Joseph Truslove, land surveyors of Cambridge, Commissioners for carrying into execution the purposes of the Act.

Sections 2 to 11 provide for filling vacancies among the Commissioners, the appointment of a third Commissioner in case of difference, the oath to be taken by Commissioners, their procedure for ascertaining the compensation to be paid for extinguishment of rights, and the payment of the expenses of passing the Act. The award is to be final but not to prevent the trial by action at law of questions of title, or questions as to Rights claimed and disallowed by the Commissioners.]

XII. Provided always, That nothing herein contained shall extend or be construed to extend to or in any Manner to affect any Waste Land, not being Part of the said Lammas Land, or Leys, lying at the Back of *Pembroke Hall* in the said University, or elsewhere adjoining to the said Leys.

Not to affect Waste Lands lying at the back of *Pembroke Hall*.

XIII. Provided also, That the said Commissioners shall and they are hereby required to set out a convenient Carriage Road, communicating from the Street called *Birdbolt Lane*, along the Wall of *Pembroke Hall* Garden,

To set out a Carriage Road.

A. D. 1801, to the Back Gate of *Pembroke Hall*, and also another convenient Carriage Road or Way, communicating with the said first-mentioned Road or Way at such Point as the said Commissioners shall think fit (taking into Consideration the Convenience of the Owners of the said Land, and of the Persons entitled to use the said Road or Way respectively) and the Road running across at the Bottom of the said Leys from the *Trumpington Road* to the *Linton Road*, or communicating with the said first-mentioned Road as aforesaid, and the *Trumpington Road* at some Point South of *Addenbroke's Hospital*, as the said Commissioners shall think fit; which said Road or Way shall be used by such Persons only as are entitled to use the Road now running in the last-mentioned Directions.

[Section 14 provides for the reading, and signing of the award, and for the proclaiming thereof in the parish churches of Cambridge on the following Sunday immediately after Divine Service; the award, which is to be considered complete from the time of the proclamation and not before, is to be deposited within six months after signature, or as soon after as conveniently may be, amongst the records of the University and of the Town, and to be inrolled with the Clerk of the Peace for the County.

Sections 15-18 relate to payment of sums awarded to persons who cannot be found, or refuse to receive them, to persons under disability, corporations, &c.

Section 19 authorizes the Commissioners to charge the sums payable on the lands of proprietors who neglect to pay.

Section 20 authorizes the Commissioners to fix the boundaries of the lands affected by the award.

Sections 21 and 22 provide for the Commissioners having a banking account, and keeping books of accounts.

Section 23 saves the rights of lords of manors.

Section 24 gives an appeal within six months to Quarter Sessions from decisions of the Commissioners in matters

as to which their award is not final, the decision of A. D. 1801.
the Quarter Sessions to be final.

Section 25 is a general saving clause in the usual form.

Section 26 declares the Act to be a public Act.]

42^o GEO. III. CAP. XC.

An Act for amending the Laws relating to the A. D. 1802.
Militia in *England*, and for augmenting the Militia.
[26th June 1802.]

[This was a consolidation Act, section 1 of which repealed
26 Geo. 3. c. 107 and 37 Geo. 3. c. 3 and other Acts
then in force as to the militia.]

XLIII. And be it further enacted, That no Peer of this Realm, . . . nor any Person being a Resident Member of either of the Universities . . . shall be liable to serve personally, or provide a Substitute to serve in the Militia, . . .

Certain
Persons
exempt
from Ser-
vice.

CLXXV. And be it further enacted, That every Person having served in the Militia when drawn out into actual Service, being a married Man, may set up and exercise any Trade in any Town or Place within *Great Britain*, without any Let, Suit, or Molestation of or from any Person or Persons whomsoever, for or by reason of using or exercising such Trade, as freely and with the same Provisions, and under the same Regulations, and with the like Exception in respect to the Two Universities, as any Mariner or Soldier can or may do by virtue of an Act passed in the Twenty-fourth Year of His present Majesty's Reign, intituled, *An Act to enable such Officers, Mariners, and Soldiers, as have been in the Land or Sea Service, or in the Marines, or in the Militia, or any Corps of Fencible Men, since the Second Year of His present Majesty's Reign, to Exercise Trades*; and no such Militia Man shall be liable to be

Married
Militia
Men may
set up in
any Place
in *Great
Britain*, as
Soldiers
may under
24 Geo. 3.
c. 44.¹

¹ *Sic.* But the reference is to 24 Geo. 3. Sess. 2. c. 6, of which Act s. 5 was a *verbatim* repetition of 22 Geo. 2. c. 44. s. 2 (*supra*).

A. D. 1802. removed out of any such Town or Place, until he is become chargeable to the Parish.¹

42^o GEO. III. CAP. XCIV.

An Act for repealing certain Duties on Paper, Pasteboards, Millboards, Scaleboards, and Glazed Paper, imported into or made in *Great Britain*; and for granting other Duties in lieu thereof.

[26th June 1802.]

[Section 1 repeals with an immaterial exception from the 5th of July, 1802, the customs and excise duties on paper. Section 2 imposes *inter alia* an excise duty of three pence on every pound avoirdupois of paper of the first class made in Great Britain or made in Ireland and imported thence direct into Great Britain.]

The following Drawbacks shall be allowed and paid.

IV. And be it further enacted, That, from and after the said Fifth Day of *July* One thousand eight hundred and two, the several and respective Drawbacks herein-after mentioned shall be made, allowed, and paid upon the Terms and Conditions, and under, subject, and according to the Rules, Regulations, Provisions, Restrictions, Clauses, Penalties, and Forfeitures contained in any Act or Acts of Parliament, Law or Laws now in force in relation to the Duties on Paper; (that is to say),

Drawbacks.

For every Pound Weight Avoirdupois of Paper of the First Class or Denomination which shall be used in the printing any Books in Latin, Greek, Oriental, or Northern Languages, or in the printing Bibles, Testaments, Psalm Books, Books of Common Prayer, and Confession of Faith,

¹ This section was superseded by the Municipal Corporations Act, 1835 (5 & 6 Will. 4. c. 76) s. 14 (*infra*) which removed trade restrictions in towns. For other enactments relating to the trade privileges of militia men see (*supra*) 30 Geo. 2. c. 25, and notes to that Act and 22 Geo. 2. c. 44 (*supra*).

² By 43 Geo. 3. c. 69 (*infra*) all duties of excise were repealed and new duties granted. The Act was repealed by 2 & 3 Vict. c. 23. s. 67 (*infra*).

and the larger and shorter Catechism, or any of them, within A. D. 1802. the Two Universities of *Oxford* and *Cambridge*, or either of them, by Permission of the Vice Chancellor of the same respectively; or which shall be used in the printing any Books in Latin, Greek, Oriental, or Northern Languages within the Universities of *Scotland*, or any of them, by Permission of the Principals of the same respectively; or which shall be used by the King's Printers in *England* and *Scotland* respectively, in the printing of Bibles, Testaments, Psalm Books, Books of Common Prayer of the Church of *England*, the Book commonly called or known in *Scotland* by the Name of *The Confession of Faith*, or the larger or shorter Catechism of the Church of *Scotland*, a Drawback of Three-pence.

42° GEO. III. CAP. CXVI.

An Act for consolidating the Provisions of the several Acts passed for the Redemption and Sale of the Land Tax, into One Act, and for making further Provision for the Redemption and Sale thereof; and for removing Doubts respecting the Right of Persons claiming to vote at Elections for Knights of the Shire and other Members to serve in Parliament, in respect of Messuages, Lands, or Tenements, the Land Tax upon which shall have been redeemed or purchased.¹

[26th June 1802.]

XVII. And be it further enacted, That where the Land Tax charged upon the Glebe Lands, Tythes, or other Profits of any Living or Livings in the Patronage of any College, Cathedral Church, Hall, or House of Learning in either of the Universities of *Oxford* or *Cambridge*, or in the patronage of either of the Colleges of *Eton* or *Winchester*, Patrons of Livings may contract for the Redemption of the Land Tax thereon, not

¹ For note on Subsidy and Land Tax Acts see Appendix IV.

A. D. 1802.
redeemed
by Incum-
bents.

or of any Trustee or Trustees for any such College, Cathedral Church, Hall, or House of Learning as aforesaid, or in the Patronage of any other Bodies Politick or Corporate, or Companies, or Feoffees or Trustees for charitable or other publick Purposes, or other Person or Persons, shall not then have been redeemed by the Incumbent or Incumbents of such Living or Livings, it shall be lawful for the Corporations of such Colleges, Cathedral Churches, Halls, or Houses of Learning respectively, or for such other Bodies Politick or Corporate, or Companies, or other Person or Persons aforesaid, in whose Patronage any such Living or Livings shall be, to contract and agree for the Redemption of such Land Tax, upon the same Terms and with the same Benefits and Advantages as the Incumbent or Incumbents of such Living or Livings could or might have contracted, to redeem the same.

Where the
Land Tax
on any
Glebe, &c.
of any
Living be-
longing to
Colleges,
&c. shall be
redeemed,
it may be
provided
for by Sale
of any
Lands be-
longing
thereto, or
Grant of
a Rent
Charge;
but such
College,
&c. shall
be entitled
to a Rent
Charge out
of the
Living,
unless it
be declared
otherwise
at the
Time of
Presenta-
tion.

LXXVIII. And be it further enacted, That where the Land Tax charged upon the Glebe Lands, Tythes, or other Profits of any Living or Livings in the Patronage of any College, Cathedral Church, Hall, or House of Learning, in either of the Universities of *Oxford* and *Cambridge*, or in the Patronage of either of the Colleges of *Eton* or *Winchester*, or of any Trustee or Trustees for any such College, Cathedral Church, Hall, or House of Learning, or in the Patronage of any other Corporation Aggregate, shall have been, or shall be redeemed by or on the Behalf of any such College, Cathedral Church, Hall, or House of Learning, or by any such Corporation Aggregate, by virtue of any of the Provisions of the said recited Acts or of this Act, it shall be lawful for any such College, Cathedral Church, Hall, or House of Learning, or for any such Trustee or Trustees thereof respectively as aforesaid, or for any such Corporation Aggregate, to provide for such Redemption by Sale of any Lands, Tenements, or Hereditaments belonging to such Corporations respectively, or by the Grant of any Rent Charge which they could or might respectively lawfully make, for the Redemption of any Land Tax charged on the Lands belonging to such Corporations, and the Land

Tax so redeemed shall be forthwith extinguished ; but every A. D. 1802. such College, Cathedral Church, Hall, or House of Learning respectively, or such Corporation Aggregate, shall nevertheless be entitled to an Annual Rent Charge issuing out of such Living, equivalent to the Amount of the Land Tax redeemed, unless it shall be declared in Writing under the Common Seal of the Body or Bodies having such Right of Patronage or Nomination, at the Time of presenting or nominating any Clerk or Clerks to such Living or Livings, that such Rent Charge shall be suspended during his or their Incumbency or respective Incumbencies, which Declaration the Body or Bodies entitled to nominate to such Living or Livings shall from Time to Time be competent to make : Provided always, that such Suspension shall be without Prejudice to the Right of the said Body or Bodies respectively, to recover such Rent Charge after the next or any future Avoidance : Provided also, that any Declaration made by any such Body at the Time of redeeming the said Land Tax, shall be as available during the Incumbency of the then Rector, Vicar, or Curate, as if it had been made at the Time of his being preferred to such Living.

43^o GEO. III. CAP. LXIX.

An Act to repeal the Duties of Excise payable in A. D. 1803. *Great Britain*, and to grant other Duties in lieu thereof. [4th July 1803.]

[By section 1 all duties of excise and drawbacks under Acts then in force were to cease, and by section 2 the duties of excise specified in Schedules A and B and the drawbacks specified in Schedule C were substituted. Among the duties in Schedule A was one of three pence per pound avoirdupois on paper of the first class.]

A. D. 1803.

Schedule C.

ALLOWANCES, BOUNTIES, AND DRAWBACKS
OF EXCISE.

ALLOWANCES.	£. s. d.
PAPER.	
<p>For all Paper made in Great Britain, of the First Class or Denomination, which shall be used in the printing of any Books in the Latin, Greek, Oriental, or Northern Languages, or in the Printing of Bibles, Testaments, Psalm Books, Books of Common Prayer, and Confession of Faith, and the Larger and Shorter Catechism, or any of them, within the Two Universities of Oxford and Cambridge, or either of them, by Permission of the Vice Chancellors of the same respectively; or which shall be used in the printing of any Books in the Latin, Greek, Oriental or Northern Languages, within the Universities of Scotland, or any of them, by Permission of the Principals of the same respectively; or which shall be used by the King's Printers in England and Scotland respectively, in the printing of Bibles, Testaments, Psalm Books, Books of Common Prayer of the Church of England, the Book commonly called or known in Scotland by the Name of the Confession of Faith, or the Larger or Shorter Catechism of the Church of Scotland¹</p>	The whole Duty.

43^o GEO. III. CAP. LXXXII.

An Act to enable His Majesty more effectually to raise and assemble, in *England*, an additional Military Force, for the better Defence and Security of the United Kingdom, and for the more vigorous Prosecution of the War.²

[6th July 1803.]

¹ This provision was superseded by 2 & 3 Vict. c. 23 (*infra*).² This Act was repealed by 46 Geo. 3. c. 51. s. 1.

A. D. 1803.

VI. Provided always, and be it further enacted, That no Person being a Commissioned Officer in His Majesty's other Forces, . . . nor any Person being a Resident Member of either of the Universities in *England*, . . . shall be liable to serve personally or provide a Substitute to serve in the Army to be raised by virtue of this Act, unless by Rotation it shall have come to the Turn of any such Person to be again ballotted for ; . . .

43^o GEO. III. CAP. LXXXIV.

An Act to amend the Laws relating to Spiritual Persons holding of Farms ; and for enforcing the Residence of Spiritual Persons on their Benefices, in *England*.¹ [7th July 1803.]

XV. And be it further enacted, That no Spiritual Person having or holding any Office, in such Manner as the same under any of the Provisions of the said first recited Act,² or of an Act, passed in the Twenty-fifth Year of the Reign of King *Henry* the Eighth, intituled, *An Act that every Judge of the High Courts may have One Chaplain beneficed with Cure* ;³ or of another Act passed in the Twenty-eighth Year of the Reign of King *Henry* the Eighth, intituled, *The Bill for Non-residence of Spiritual Men and their Benefices* ;⁴ or of another Act, passed in the Thirty-third Year of the Reign of King *Henry* the Eighth, intituled, *An Act for the Chancellor of the Duchy of Lancaster and others, to have Chaplains* ;⁵ would exempt such Spiritual Persons from Residence, or from the Penalties and Forfeitures in the said Acts contained for Non-residence, or actually serving as a Chaplain of the House of Commons,

Certain
Persons
exempted
from Pen-
alties for
Non-resi-
dence.

¹ This Act was repealed by 57 Geo. 3. c. 99. s. 1 (*infra*).

² 21 Hen. 8. c. 13 (*supra*).

³ 25 Hen. 8. c. 16.

⁴ 28 Hen. 8. c. 13 (*supra*).

⁵ 33 Hen. 8. c. 28.

A. D. 1803. [or in one of certain other offices mentioned in the section.]

or as Bursar, Dean, Vice President or publick Tutor or Chaplain, or other such publick Officer, in any College or Hall in either of the Universities of *Oxford* or *Cambridge*, during the Period for which he may respectively be required, by reason of any such Office, to perform the Duties of any such Office, and actually shall perform the Duties of the same, or as publick Librarian or publick Registrar, or Proctor, or publick Orator, or other such publick Officer, in either of the said Universities, during the Period for which he may respectively be required, by reason thereof, to perform the Duties of any such Office, and actually shall perform the Duties of the same, or as Fellow of any College in either of the Universities, or of *Eton* or *Winchester College*, during the Time for which he may be required to reside by any Chapter or Statute, and actually resides therein, or as Warden or Provost of *Eton* or *Winchester College*, during the Time for which they may be respectively required to reside, or shall actually reside therein, or as Schoolmaster or Usher in the same, or as Schoolmaster or Usher of *Westminster School*, shall be liable to any of the Pains, Penalties, or Forfeitures in the said first recited Act or this Act contained, for or on account of any Non-residence on any Dignity, Prebend, Benefice, Donative, or Perpetual Curacy ; any Thing in the said Act or this Act contained to the contrary notwithstanding.

Persons entitled under 28 Hen. 8. c. 13. to Privilege of Non-residence till 40 Years old, not to be entitled to it after 30.

XVI. And be it further enacted, That, from and after the passing of this Act, no Person or Persons mentioned in an Act, passed in the Twenty-eighth Year of the Reign of King *Henry* the Eighth, intituled, *The Bill for Non-residence of Spiritual Men, and their Benefices*, and entitled under the Provisions of the said Act or any other Act, to the Privilege and Liberty of Non-residence until after and above the Age of Forty Years, shall be entitled to enjoy the Privilege and Liberty of Non-residence after or above the Age of Thirty Years, without Prejudice never-

theless to any of the Exceptions and Savings contained in A. D. 1803. the said Act; any Thing in the said Act contained to the contrary notwithstanding.

43^o GEO. III. CAP. CXXII.

An Act for granting to His Majesty, until the Sixth Day of *May* next after the Ratification of a Definitive Treaty of Peace, a Contribution on the Profits arising from Property, Professions, Trades, and Offices.¹ [11th *August* 1803.]

[The Act, which revived the income tax from the 5th of April, 1803, after it had ceased for one year upon the repeal by 42 Geo. 3. c. 42 of 39 Geo. 3. c. 13 (*supra*), adopted the classification of Property and Income in five Schedules A, B, C, D, E, which has been used in subsequent Acts, including that (5 & 6 Vict. c. 35 (*infra*)) now in force. The tax was at the rate of one shilling in the pound.]

Schedule (A).²

N^o IV. EXEMPTIONS from the said Duties in Schedule (A).

Schedule (A).
Duty on
Landlord,
&c.
Colleges
and Halls.

First.—The Scite of any College or Hall in any of the Universities of Great Britain, and all Offices, Gardens, Walks, and Grounds for Recreation, repaired and maintained by the Funds of such College or Hall.

Second.—The Scite of every Hospital or public School, Hospitals. or Alms House, and all Offices, Gardens, Walks, and Grounds for Recreation of the Hospitallers, Scholars, and Almsmen, repaired and maintained by the Funds of such Hospital, School, or Alms House.

¹ By 45 Geo. 3. c. 15 (*infra*) additional duties were imposed to be collected under the same regulations; and by 45 Geo. 3. c. 49 (*infra*), and again by 46 Geo. 3. c. 65 (*infra*) other regulations were substituted, the term for cesser of the duties being altered by those Acts to the 6th of April next after the ratification of peace. The duties under this Act and 45 Geo. 3. c. 15 accordingly ceased on the 6th of April, 1815, but were revived for one year by 55 Geo. 3. c. 53 and finally expired on the 6th of April, 1816.

² Schedule (A) follows s. 31 of the Act.

A.D. 1803. **Third.**—The Amount of the Rents and Profits of
 Rents of Messuages, Lands, Tenements, or Hereditaments, belonging
 Hospitals. to any Hospital or Alms House, on Proof before the
 respective Commissioners of the due Application of the
 said Rents and Profits to charitable Purposes only, and in
 so far as the same shall be applied to charitable Purposes
 only ; such Exemption to be claimed and proved by any
 Steward, Agent, or Factor acting for such Hospital or
 Alms House, or by any Trustee of the same, and to be
 carried into Effect either by vacating the Assessment
 made on such Messuages, Lands, Tenements, or Heredita-
 ments, or by obtaining a Certificate of Exemption as
 hereinafter is mentioned, and as the Case may require.

Schedule
 (C).

Schedule (C).¹

Duty on
 Dividends.
 Stock of
 charitable
 Institu-
 tions
 exempted.

LXVIII. Provided also, That nothing herein contained shall be construed to extend to charge any Corporation, Fraternity, or Society of Persons established for charitable Purposes only ; nor to charge any Funds, which, according to the Rules or Regulations of any Corporations, Companies, Fraternities, or Societies, or of any Trustee or Trustees, established by Act of Parliament, Charter, Decree, Deed of Trust, or Will, shall be applicable to charitable Purposes, and in so far as the same shall be applied to charitable Purposes only ; provided the Application thereof to such Purposes shall be duly proved before the Commissioners for the Purposes of this Act, by any Agent or Factor on the Behalf of any such Corporation, Fraternity, or Society, or Trustee or Trustees, or by any of the Members or Trustees.

Officers of
 Corpora-
 tions to be
 charged to
 the Duties
 payable

LXXXVIII. And be it further enacted, That all Bodies Politic, Corporate or Collegiate, Companies, Fraternities, Fellowships, or Societies of Persons, whether Corporate or not Corporate, shall be chargeable with such and the like

¹ Schedule (C) follows s. 66 of the Act.

Duties as any Person or Persons will under and by virtue of this Act be chargeable with ; and that the Chamberlain or other Officer acting as Treasurer, Auditor, or Receiver, for the Time being, of every such Corporation, Company, Fraternity, Fellowship, or Society, shall be answerable for doing all such Acts, Matters, and Things, as shall be required to be done by virtue of this Act, in order to the assessing such Corporations, Companies, Fraternities, Fellowships, or Societies, to the Duties granted by this Act, and pay in the same.

A. D. 1803.
by the
Corpora-
tions.

43^o GEO. III. CAP. CLXI.

An Act for repealing the several Duties under the Management of the Commissioners for the Affairs of Taxes, and granting New Duties in lieu thereof ; for granting New Duties in certain Cases therein mentioned ; for repealing the Duties of Excise on Licences, and on Carriages constructed by Coachmakers, and granting New Duties thereon, under the Management of the said Commissioners for the Affairs of Taxes ; and also new Duties on Persons selling Carriages by Auction, or on Commission.¹ [12th August 1803.]

[The Act substitutes new duties as set forth in the Schedules thereto for those previously charged in respect *inter alia* of houses and windows, inhabited houses, and servants.

Section 84 repeals from and after the 5th of April, 1804, the duties in any Acts thereafter mentioned in respect of which other duties are by this Act substituted and all such parts of the several provisions of the said Acts as relate to the duties made payable by this Act. Among the Acts mentioned are 20 Geo. 2. c. 3 (*supra*),

¹ The duties imposed by this Act were repealed and new duties granted by 48 Geo. 3. c. 55 (*infra*).

A.D. 1803.

17 Geo. 3. c. 39 (*supra*), 18 Geo. 3. c. 26 (*supra*),
24 Geo. 3. Sess. 2. c. 38, 25 Geo. 3. c. 43 (*supra*),
32 Geo. 3. c. 2 (*supra*), and 42 Geo. 3. c. 34.

Rule VIII of Schedule (A) (House and Window Tax) is
verbatim the same as Rule VIII of Schedule (A) in
48 Geo. 3. c. 55 (*infra*), except that in this Act the
rate for chambers or apartments with not more than
seven windows is three shillings per window.

Rule IV of Schedule (B) (Inhabited House Duty) and the
second paragraph of Exemption I to Schedule (C) (Duty
on Male Servants) are *verbatim* the same as Rule IV
of Schedule (B) and Exemption II to Schedule (C) of
48 Geo. 3. c. 55.]

44^o GEO. III. CAP. XCVIII.

A. D. 1804. An Act to repeal the several Duties under the
Commissioners for managing the Duties upon
stamped Vellum, Parchment, and Paper, in *Great
Britain*, and to grant new and additional Duties
in lieu thereof.¹ [28th July 1804.]

[Section 1 repeals from and after the 10th of October, 1804,
all the duties under the care of the Commissioners for
managing the duties upon stamped vellum, parchment,
and paper; ² and section 2 grants from the same date
the duties mentioned in Schedules (A.) and (B.) and
allows the allowances and drawbacks described in
Schedule (C).]

¹ The duties imposed by this Act were repealed and other duties substituted
by 48 Geo. 3. c. 149 (*infra*).

² For previous duties on matriculations and degrees see (*supra*) 5 & 6 W. & M.
c. 21, 6 & 7 W. & M. c. 12, 9 Will. 3 [9 & 10., Ruff.] c. 25, 23 Geo. 3. c. 58,
and 37 Geo. 3. c. 90; and for previous stamp duties on ale licences see (*supra*)
9 Ann. c. 16 [c. 23., Ruff.].

Schedule (A.)

A. D. 1804.

STAMP DUTIES.

Name and Description of the Instrument, Article, or Thing, on which the Duty attaches.	England.	Scotland.
	£. s. d.	£. s. d.
Matriculation in either of the Two Universities in England - -	- 10 -	-
Register or Entry of any Degree taken in either of the Two Universities in England other than the Degree of Batchelor of Arts - -	6 - -	-
Certificate or Testimonial of any Degree taken in either of the Two Universities in England other than the Degree of Batchelor of Arts - -	10 - -	-
Register or Entry of the Degree of Batchelor of Arts taken in either of the Two Universities in England - -	3 - -	-
Certificate or Testimonial of the Degree of Batchelor of Arts taken in either of the Two Universities in England -	3 - -	-
Licence granted by any Justice or Justices of the Peace, or other Magistrate or Magistrates, for selling Ale, Beer, or other exciseable Liquors by Retail, yearly	2 2 -	2 1 -
SPECIAL EXEMPTIONS.		
For Licences granted to Persons duly licensed by the Chancellors or Vice-Chancellors of the Two Universities in England, or by either of them, for selling Wine.		

A. D. 1804.

Schedule (C.)

ALLOWANCES AND DRAWBACKS.

ALLOWANCES.

To the Two Universities of Oxford and Cambridge respectively,
the annual Sum of £500 each.¹

44^o GEO. III. Cap. 70.²

An Act to continue the Term, and alter and enlarge the Powers of several Acts, passed for repairing the Road from *Cambridge* to *Ely*, and from *Ely* to *Littleport*, and from *Littleport* to *Checquer Corner* in *Downham*, in the several Counties of *Cambridge* and *Norfolk*, and other Roads in the said Acts mentioned; and for more effectually amending, improving, and keeping in Repair, certain other Roads. [29th June 1804.]

[Sections 1, 6, 7 alter the South District established by 10 Geo. 3. c. 97 (*supra*) by excluding therefrom so much of the road from George Farrin's House in Wilburton to Mepal as leads through Grunty Fen, and so much as leads from the Guide Post on Stretham Common to Gebrge Farrin's House, and including the road from the North end of Short Lane, Stretham by Wilburton, Hop Row, Haddenham End Highway, Staple Leys and Ballam Baulk to the turnpike road from Ely to Mepal.

Section 2 adds to the trustees for the South District the persons holding the following positions for the time being, namely the Knights of the Shire for the County

¹ See 21 Geo. 3. c. 56 (*supra*).² L. & P.

of Cambridge, the Representatives in Parliament of A. D. 1804.
the University and Town of Cambridge, the Dean,
Archdeacon, Prebendaries, and Chancellor of the
Cathedral Church of Ely, the Lords of the Manors,
and Rectors, Vicars, and Perpetual Curates of the
Parishes through which any of the roads do and shall
pass, now and for the time being.

Section 3 adds to the trustees of the North District the
Dean, Archdeacon, Prebendaries, and Chancellor of the
Cathedral Church of Ely now and for the time being,
and the Rectors, Vicars, and Perpetual Curates of the
parishes through which any of the roads do or shall
pass, now and for the time being.

Section 83 declares the Act to be a public Act.

Section 84 provides that the recited Acts, 3 Geo. 3. c. 36
(*supra*), 5 Geo. 3. c. 79, 10 Geo. 3. c. 97 (*supra*), and this
Act shall continue for the Term of twenty-one years
from the passing of this Act and from thence to the
end of the then next Session of Parliament.¹]

45^o GEO. III. CAP. XV.

An Act for granting to His Majesty additional A. D. 1805.
Duties in *Great Britain*, on the Amount of
Assessments to be charged on the Profits arising
from Property, Professions, Trades, and Offices.
[18th March 1805.]

[The Act grants an additional tax of one-fourth of the
amount granted by 43 Geo. 3. c. 122 (*supra*), to be
levied under the same regulations.]

IV. And whereas in the said recited Act it is enacted, Profits of
that the Amount of Rents belonging to any Hospital or Premises
vested in

¹ This Act was repealed by 5 Geo. 4. c. lx. (passed on the 17th of May, 1824),
which established three sets of trustees for the management of the roads, none
including any *ex officio* representatives of the University or Colleges.

A. D. 1805. Trustees for charitable Purposes exempted from Duty. Alms House shall be exempt from the Duties charged in Schedule (A.), be it enacted, That the Amount of the Rents and Profits of Messuages, Lands, Tenements, or Hereditaments vested in Trustees for charitable Purposes only, on Proof before the respective Commissioners, of the due Application of the said Rents and Profits to charitable Purposes only, and in so far as the same shall be applied to charitable Purposes only, shall be in like Manner exempt from the Duties imposed by this Act.

45^o GEO. III. CAP. XLIX.

An Act to repeal certain Parts of an Act, made in the Forty-third Year of His present Majesty, for granting a Contribution on the Profits arising from Property, Professions, Trades, and Offices; and to consolidate, and render more effectual, the Provisions for collecting the said Duties.

[5th June 1805.]

[Section 1 recites the duties imposed by 43 Geo. 3. c. 122 (*supra*), and substitutes for any year commencing after the 5th of April, 1805, the regulations following for those contained in the recited Act.]

SCHEDULE (A.)¹

No. IV. Particular Deductions from Schedule (A.)

Repairs of
Chancels,
etc.

Fourth.—For Repairs of Collegiate Churches and Chapels, and Chancels of Churches, by any Ecclesiastical Body, Rector, Vicar, or other Person bound to repair the same, on an Average of Twenty-one Years preceding as aforesaid, or as nearly thereto as can be produced : ²

¹ Schedule (A.) follows s. 37 of the Act.

² The corresponding deduction No. 4 in 43 Geo. 3. c. 122 (*supra*) had been confined to repairs of Chancels of Churches by any Rector, Vicar, or other Person bound to repair the same. The corresponding deductions in 46 Geo. 3. c. 65 (*infra*), and in 5 & 6 Vict. c. 35 (*infra*) expressly include chapels of colleges and halls in the Universities.

A. D. 1805.

In all which Cases there shall be allowed and deducted out of the Assessment to be made thereon in respect of the Property, unless such Payments, or any Part thereof, shall be made by a Tenant or Tenants, such sum of Money as a like Rate of One Shilling for every Twenty Shillings of the Sums paid would, by a just Proportion, amount unto.

Provided always, That the Allowances to be granted in pursuance of the Second, Third, or Fourth cases, may be granted to the Ecclesiastical Body, Rector, or other Vicar, liable to the Charges therein mentioned, in one Sum, and in the same Manner as Allowances are to be granted in respect of Income, either by deducting the same from the Assessment upon them, (if any,) or by Certificate; and such Allowances shall be classed as Allowances in respect of Income.

Allow-
ances to
Eccle-
siastical
Bodies,
etc. how to
be made.

No. V.—Allowances to be made in respect of the said
Duties in Schedule (A.)

For the Duties charged on any College or Hall in any of the Universities of *Great Britain*, or the Offices, Gardens, Walks, and Grounds, for Recreation, repaired and maintained by the Funds of such College or Hall, and for the necessary Repairs thereof:

Exemp-
tions for
Colleges
and Halls.

Or on the Scite of every Hospital, or publick School, or Alms House, or the Offices, Gardens, Walks, and Grounds, for Recreation of the Hospitallers, Scholars, and Alms Men, repaired and maintained by the Funds of such Hospital, School, or Alms House, and for necessary Repairs thereof:

Hospitals,
etc.

Or on the Rents and Profits of Messuages, Lands, Tenements, or Hereditaments, belonging to any Hospital, publick School, or Alms House, or vested in Trustees for charitable Purposes:

Rents of
Hospitals
and
Charity
Lands.

The said Allowances to be granted, on Proof, before the Commissioners to be appointed for Special purposes, under the Authority of this Act, of the due Application

A. D. 1805. of the said Rents and Profits to charitable Purposes only, and in so far as the same shall be applied to charitable Purposes only :

The said Allowances to be claimed and proved by any Steward, Agent, or Factor, acting for such College, Hall, School, Hospital, or Alms house, or other Trust for charitable Purposes, or by any Trustee of the same, by Affidavit, to be taken before any Commissioner for executing this Act, in the District, stating the Amount of the Duties chargeable and the Application thereof, and to be carried into Effect by the Commissioners for special Purposes to be appointed under the Authority of this Act, and according to the Powers vested in such Commissioners, without vacating, altering, or impeaching the Assessment to be made, under this Act, on or in respect of such Properties ; which Assessments shall be in Force, and levied notwithstanding such Allowances.

.
SCHEDULE (C.)¹
.

Stock of
Charitable
Institu-
tions
exempted.

LXXIV. Provided also, and be it further enacted, That nothing herein contained shall be construed to extend to charge any Corporation, Fraternity, or Society of Persons established for charitable Purposes only ; nor to charge the Profits arising from any such Annuities, Dividends, or Shares, which, according to the Rules or Regulations established by Act of Parliament, Charter, Decree, Deed of Trust, or Will, shall be applicable by the said Corporations, Fraternities, or Societies, or by any Trustee or Trustees, to charitable Purposes only, and in so far as the same shall be applied to charitable Purposes only ; provided the Application thereof to such Purposes shall be duly proved before the Commissioners for special Purposes to be appointed under this Act, by any Agent or Factor, on

¹ Schedule (C.) follows s. 72 of the Act.

the Behalf of any such Corporation, Fraternity, or Society, A. D. 1805; or Trustee or Trustees, or by any of the Members or Trustees.

[Section 233 provided that the Act should commence from and after the 5th of April, 1805, and together with the recited duties should continue in force till the 6th of April next after the ratification of a definitive treaty of peace.¹]

45^o GEO. III. CAP. CI.

An Act to repeal so much of an Act, passed in the Ninth Year of the Reign of His late Majesty King *George* the Second, intituled, *An Act to restrain the Disposition of Lands, whereby the same become unalienable*, as restrains Colleges within the Two Universities of *Oxford* and *Cambridge* from purchasing or holding Advowsons, except as therein is provided.

[10th July, 1805.]

WHEREAS it is amongst other Things provided by an Act, passed in the Ninth Year of the Reign of His late Majesty King *George* the Second, intituled, *An* ^{9G.2.c.36.²} *Act to restrain the Disposition of Lands, whereby the same become unalienable*, that no College or House of Learning in either of the Two Universities within that Part of the United Kingdom called *England*, which doth or shall hold or enjoy so many Advowsons of Ecclesiastical Benefices as are or shall be equal in Number to One Moiety of the Fellows, or Persons usually styled or reputed as Fellows, or where there shall be no Fellows, or Persons usually styled or reputed as Fellows, to one Moiety of the Students upon the Foundation whereof any such College or House of Learning doth or may by the present Constitution of

¹ This Act was repealed by 46 Geo. 3. c. 65 (*infra*).

² *Supra*.

A. D. 1805. such College or House of Learning consist, shall, from and after the Twenty-fourth Day of *June* One thousand seven hundred and thirty-six, be capable of purchasing, acquiring, receiving, taking, holding, or enjoying, any other Advowsons of Ecclesiastical Benefices by any Means whatever, the Advowsons of such Ecclesiastical Benefices as are annexed to or given for the Benefit or better Support of the Headships of any of the said Colleges or Houses of Learning, not being computed in the Number of Advowsons hereby limited : And whereas the above Restriction has been found by Experience to operate to the Prejudice of such Colleges or Houses of Learning, by rendering the Succession too slow : And whereas the Removal of such Restriction will be for the Benefit of such Colleges or Houses of Learning, and of the said Universities, and will tend to the Promotion of Learning, and to the providing a better Supply of fit and competent Parochial Ministers ; be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That so much of the said Statute as is herein-before recited shall be and the same is hereby repealed.

So much of
recited Act
as restrains
Colleges
from pur-
chasing or
holding
Advow-
sons, re-
pealed.

46° GEO. III. CAP. LXV.

A. D. 1806. An Act for granting to His Majesty, during the present War, and until the Sixth Day of *April* next after the Ratification of a definitive Treaty of Peace, further additional Rates and Duties in *Great Britain* on the Rates and Duties on Profits arising from Property Professions Trades and Offices ; and for repealing an Act passed in the Forty-fifth Year of His present Majesty, for repealing certain Parts of an Act made in the Forty-third Year of His present Majesty, for granting a Contribution on the Profits arising from

Property Professions Trades and Offices; and A. D. 1806.
to consolidate and render more effectual the
Provisions for collecting the said Duties.

[13th June 1806.]

[Section 1 recites the duties under Schedules A, &c. of
43 Geo. 3. c. 122 (*supra*) and under 45 Geo. 3. c. 15
(*supra*), and imposes additional duties, making an
aggregate duty of two shillings in the pound. Section
2 repeals 45 Geo. 3. c. 49 (*supra*), and substitutes for
the rules and regulations thereunder those prescribed
by this Act.]

SCHEDULE (A.)¹

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No. V. Particular Deductions from Schedule (A).

Deductions.

Third—For Repairs, of Collegiate Churches and Chapels, Repairs of Chan-
and Chancels of Churches, or of any College or Hall in cels.
any of the Universities of *Great Britain*, by any Ecclesi-
astical or Collegiate Body Rector Vicar or other Person
or Persons bound to repair the same, on an Average of
Twenty-one Years preceding as aforesaid, or as nearly
thereto as can be produced :

.
In all which Cases there shall be allowed and deducted
out of the Assessment to be made thereon in respect of the
Property, unless such Payments or any Part thereof shall
be made by a Tenant or Tenants, such Sum of Money as
a like Rate of Two Shilling for every Twenty Shillings
of the Sums paid would by a just Proportion amount unto :

Provided always, That the Allowances to be granted Allow-
in pursuance of the first second or third Cases, may be ances to
granted, to the Ecclesiastical or Collegiate Body Rector Ecclesiasti-
Vicar or other Person or Persons aforesaid liable to the cal Bodies,
&c. how to
be made.

¹ Schedule (A.) follows s. 74 of the Act.

A. D. 1806. Charges therein mentioned, in one Sum, and in the same Manner as Allowances are to be granted in respect of Income, either by deducting the same from the Assessment upon them (if any) or by Certificate; and such Allowances shall be classed as Allowances in respect of Income.

No. VI. Allowances to be made in respect of the said Duties in Schedule (A.)

Exemptions for Colleges and Halls.

For the Duties charged on any College or Hall in any of the Universities of *Great Britain*, in respect of the publick Buildings and Offices belonging to such College or Hall, and not occupied by any individual Member or Members thereof, or by any Person paying Rent for the same, and for the Repairs of the publick Buildings and Offices of such College or Hall, and the Gardens Walks and Grounds for Recreation repaired and maintained by the Funds of such College or Hall:

Or on any Hospital publick School or Alms-house in respect of the publick Buildings Offices and Premises belonging to such Hospital publick School or Alms-house, and not occupied by any individual Officer or the Master thereof, whose Profits or Emoluments however arising shall exceed Fifty Pounds per Annum, or by any Person paying Rent for the same, and for the Repairs of such Hospital publick School or Alms-house and Offices belonging thereto, and of the Gardens Walks and Grounds for the Sustenance or Recreation of the Hospitallers Scholars and Alms-men, repaired and maintained by the Funds of such Hospital School or Alms-house:

.
The said Allowances to be granted by the Commissioners for General Purposes in their respective Districts:

Rents of Hospitals and Charity Lands.

Or on the Rents and Profits of Messuages Lands Tenements or Hereditaments belonging to any Hospital publick School or Alms-house or vested in Trustees for

charitable Purposes, so far as the same are applied to A. D. 1806.
charitable Purposes :

The said Allowances to be granted on Proof before the Commissioners appointed as aforesaid or to be appointed under the Authority of this Act for special Purposes of the due Application of the said Rents and Profits to charitable Purposes only, and in so far as the same shall be applied to charitable Purposes only :

The said Allowances to be claimed and proved by any Steward Agent or Factor acting for such School Hospital or Alms-house or other Trust for charitable Purposes, or by any Trustee of the same, by Affidavit to be taken before any Commissioner for executing this Act in the District where such Person shall reside, stating the Amount of the Duties chargeable, and the Application thereof, and to be carried into Effect by the said Commissioners for special Purposes, and according to the Powers vested in such Commissioners, without vacating altering or impeaching the Assessment to be made under this Act on or in respect of such Properties ; which Assessments shall be in force and levied notwithstanding such Allowances.

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SCHEDULE (C.)¹

Rules for assessing and charging the Duties under
Schedule (C.)

[The duty is directed to be paid except in the following case of exemption therefrom, the second of which is as follows.]

- 2d. The Stock or Dividends of any Corporation, Fraternity, or Society of Persons, or of any Trust, established for charitable Purposes only ; or which according to the Rules or Regulations established by Act of Parliament Charter Decree Deed of Trust or Will shall be applicable by the said Corporations Fraternities or Societies or by any Trustee or Trustees to charitable Purposes

Stock of
charitable
Institutions
exempted.

¹ Schedule (C.) follows s. 103 of the Act.

A. D. 1806.

only, and in so far as the same shall be applied to charitable Purposes only; or the Stock or Dividends in the Names of any Trustees applicable to the Repairs of any Cathedral College Church or Chapel and to no other Purpose and in so far as the same shall be applied to such Purposes, provided the Application thereof to such Purposes shall be duly proved before the Commissioners for Special Purposes appointed as aforesaid, or to be appointed under this Act, by any Agent or Factor on the Behalf of any such Corporation Fraternity or Society or Trustee or Trustees or by any of the Members or Trustees:

[Section 227 provides that the Act shall commence from and after the 5th of April, 1806, and together with the duties shall continue in force till the 6th of April next after the ratification of a definitive treaty of peace.]¹

46^o GEO. III. *Cap.* 147.²

An Act for enabling a married Person to hold and enjoy the Office of Warden of *Wadham College*, in the University of *Oxford*. [22d July 1806.]

WHEREAS by the Statutes of *Wadham College*, in the University of *Oxford*, given to the said College by the Founder thereof, it is ordained that the Warden of the said College shall be chosen out of those who are or have been Fellows of the said College, and have honourably departed from it; and also that the Warden of the said College shall, at the Time of his Election to the Office of Warden, be, and whilst he shall be Warden of the said College, continue to be a Bachelor and unmarried; and also that the said Warden shall take an Oath that he hath not contracted, nor will enter into any Contract of Matrimony

¹ The Act and duties having expired on the 6th of April, 1815, were revived for one year by 55 Geo. 3. c. 53, and the duties finally ceased on the 6th of April, 1816.

² L. & P.

so long as he shall be Warden of the said College: And A. D. 1806.
 whereas in the present State of Society it is reasonable and
 fit, and likely to conduce to the Benefit of the said College,
 that a married Person, otherwise duly qualified, shall, not-
 withstanding the said Statutes, be capable of being elected
 into and to hold and enjoy the said Office of Warden
 of the said College, and that every Warden of the said
 College shall after his Election into and during his Con-
 tinuance in the said Office be allowed to marry and continue
 such Warden, notwithstanding his Marriage and the said
 Statutes; may it please Your Majesty that it may be
 enacted; and be it enacted by the King's most Excellent
 Majesty, by and with the Advice and Consent of the Lords
 Spiritual and Temporal, and Commons, in this present
 Parliament assembled, and by the Authority of the same,
 That from and after the passing of this Act, so much of the
 Statutes of the said College as ordains that the Warden of
 the said College shall at the Time of his Election to the
 Office of Warden be, and whilst he shall be Warden of
 the said College continue to be, a Bachelor and unmarried;
 and also so much of the said Statutes as ordains that the
 said Warden shall take an Oath that he hath not contracted,
 nor will enter into any Contract of Matrimony so long as he
 shall be Warden of the said College, shall be and the same
 are hereby declared to be null and void to all Intents and
 Purposes; any Thing in the said Statutes contained to the
 contrary thereof notwithstanding.

Annulling
so much
of the
Statutes of
Wadham
College as
ordains
that the
Warden
shall be
Bachelor.

II. And be it further enacted by the Authority aforesaid,
 That from and after the passing of this Act all and every
 such Clause, Matter, and Thing in the said Statutes of the
 said College contained, as imposes any Restraint on the
 Fellows of the said College from electing a married Man
 (otherwise duly qualified) to the Office of Warden or Head
 of the said College, or from permitting the Warden or
 Head of the said College, after his Election to the said
 Office of Warden or Head, to marry, shall be and the same
 are hereby declared to be null and void to all Intents and

Annulling
so much of
the said
Statutes as
restrains
the Fellows
of the said
College
from elect-
ing a mar-
ried Person
for Warden,
or con-
tinue ¹ one
as such.

¹ *Sic.*

A. D. 1806. Purposes whatsoever; any Thing in the said Statutes contained, or any Law or Statute to the contrary notwithstanding.

So much of the Warden's Oath on his Election, as relates to Matrimony, to be omitted.

III. And be it further enacted by the Authority aforesaid, That from and after the passing of this Act so much of the Oath directed to be taken by the Warden or Head of the said College on his Election to the said Office of Warden or Head of the said College, as declares that such Warden or Head hath not contracted nor will enter into any Contract of Matrimony so long as he shall be Warden or Head of the said College, and also so much of such Oath as tends in any Manner to restrain such Warden or Head from marrying or contracting Matrimony, and also the reading, at the Time of the Nomination and Election of such Warden or Head, of so much of the said Statutes of the said College as relates to the said Warden or Head of the said College not marrying or contracting Matrimony, shall be omitted.

Warden may marry, and continue the Office.

IV. And be it further enacted by the Authority aforesaid, That from and after the passing of this Act it shall be lawful for every Warden or Head of the said College to marry, and to continue such Warden or Head in the same Manner to all Intents and Purposes, as before the passing of this Act he would have been if he had not been married; and also for any Person, though married or contracted in Matrimony, who shall be in all other Respects duly qualified, to be elected into, and to accept of and hold and enjoy the Office of Warden or Head of the said College; such Statutes of the said College or any other Law or Statute, Matter or Thing, to the contrary notwithstanding.

Fellows of the College may nominate and elect a married Person.

V. And be it further enacted by the Authority aforesaid, That from and after the passing of this Act, it shall be lawful for the Fellows of the said College to nominate and elect any Person who is married or contracted in Matrimony to be such Warden or Head of the said College, provided the Person so to be nominated and elected such Warden or Head shall in every other Respect be duly qualified to be nominated and elected into, and to accept of and hold and enjoy the said Office of Warden or Head of the said College;

such Statutes of the said College, or any other Law or Statute, Matter or Thing, to the contrary notwithstanding. A. D. 1806.

VI. And be it further enacted, by the Authority aforesaid, That nothing in this Act contained shall alter, annul, or make void, any other Parts of the said Statutes of the said College not hereby annulled; and that the said Warden, Fellows, and Scholars of the said College shall have, hold, and enjoy all Estates, Rights, Privileges, Benefits, and Emoluments belonging to the said College, in the same Manner to all Intents and Purposes, as they might have held and enjoyed the same, if this Act had not been made; any Thing herein, or in the said Statutes of the said College contained, or any Law or Custom to the contrary notwithstanding.

No Parts of the said Statutes to be annulled but what are by this Act, annulled.

VII. And be it further enacted, That this Act shall be printed by the Printer to the King's most Excellent Majesty, and a Copy thereof, so printed, shall be admitted as Evidence thereof by all Judges, Justices, and others. Evidence.

47^o GEO. III. Sess. 2. Cap. 60.¹

An Act for inclosing Lands in the Parish of *Saint Andrew the Less*, otherwise called *Barnwell*, in the Town of *Cambridge*, in the County of *Cambridge*, and certain Lands in the Parishes of *Saint Andrew the Great*, *Saint Mary the Great*, and *Saint Mary the Less*, or some or one of them, in the said Town of *Cambridge*, lying intermixed with the Lands in the said Parish of *Saint Andrew the Less*, otherwise called *Barnwell*. A. D. 1807.

[1st August 1807.]

[Section I contains *inter alia* the following recital.]

AND whereas the said Thomas Panton the master fellows and scholars of the blessed virgin Mary saint John the

¹ L. & P. not printed. The portions of the Act here given are copied from the original Act (No. 302) preserved at the House of Lords.

A. D. 1807. Evangelist and the glorious virgin saint Rhadegund commonly called Jesus College in the university of Cambridge the master or keeper and fellows and scholars of the college of Corpus Christi and of blessed Mary the virgin commonly called Benet College in the said university and the master and fellows of Saint Peters College in the said university are respectively entitled to the great tithes arising within the said parish of Saint Andrew the Less otherwise called Barnwell except certain portions thereof to which the respective rectors or vicars of the parish of Saint Botolph in the said town of Cambridge and of Great Saint Andrew aforesaid are entitled as rectors or vicars as aforesaid

[Section 17 requires the Commissioners to allot parcels of land to the owners of tithes in lieu of their right to tithes from the lands allotted and divided.]

XIX.
Tythes be-
longing to
Jesus Col-
lege to
remain.

PROVIDED always That nothing in this act contained shall extend or be construed to extend to the tythes moduses compositions or other payments in lieu of tythes arising growing springing renewing coming and being in the said parish of Saint Andrew the Less otherwise called Barnwell or from any other lands hereby directed to be allotted and divided which belong to the said master fellows and scholars of the Glorious Virgin Saint Rhadegund commonly called Jesus college in the university of Cambridge aforesaid or their lessees or lessee thereof or to which they or any of them heretofore have been or are is or may hereafter be intituled to but that the said master fellows and scholars of Jesus College and their lessees or lessee for the time being shall from time to time and at all times hereafter take receive have and enjoy all and every the said tythes moduses compositions or other payments in lieu of tythes arising growing springing renewing or accruing out of and from the lands within the said parish of Saint Andrew the Less otherwise called Barnwell or from any other lands hereby directed to be

allotted and divided without any hindrance interruption A. D. 1807.
or molestation whatsoever in manner and form and in as
full ample and beneficial a manner to all intents and
purposes as they and each and every of them have been
used and accustomed to take receive have and enjoy the
same and as if this act had not passed or been made any
thing herein contained to the contrary thereof in any wise
notwithstanding

AND WHEREAS there is a channel or watercourse which
for a great length of time has been enjoyed by the inhabi-
tants of the university and town of Cambridge running
from the nine wells in the bounds of Shelford in the said
county of Cambridge to the town of Cambridge aforesaid
and supplying the said town with water and part of such
channel or watercourse doth run through part of the lands
and grounds hereby intended to be allotted and divided
now therefore for the preservation of such channel or
watercourse as far as respects such part as runs through
the lands and grounds hereby intended to be allotted and
divided and in order that the same may for ever hereafter
be had and enjoyed by the residents and inhabitants of the
university and town of Cambridge aforesaid without any
interruption or disturbance whatsoever Be it further
enacted that nothing in this act contained shall extend or
be construed to extend to give the said commissioners or
the proprietors of the said open and common fields
common meadows commonable lands and waste grounds
or any part thereof or any or either of them any power
or authority over the said channel or watercourse or six
feet of the soil next and immediately adjoining thereto on
both sides thereof but such channel or watercourse and six
feet of the soil next and immediately adjoining thereto on
both sides thereof as far as the same is situate in and part
of the said open and common fields common meadows
commonable lands and waste grounds shall for ever here-
after be appropriated and set apart to and for the exclusive
purpose of conveying water to the said town as the same

XXXI.
The Water-
course sup-
plying the
Town of
Cambridge
to be pro-
tected.

A. D. 1807. hath heretofore been had used and enjoyed as if this act had not been passed and the person or persons who shall be empowered to superintend direct and manage such channel or watercourse on behalf of the said residents and inhabitants of the said university and town shall and may stake out and use such six feet of the soil adjoining such watercourse on both sides thereof for the protection and support of the said channel or watercourse and it shall not be lawful for the said commissioners and proprietors or any or either of them or any other person or persons whomsoever to plough dig up cut into or otherwise use or meddle with the said channel or watercourse or the water within the same or such six feet of the soil next adjoining thereto as aforesaid and in case any or either of them should so plough dig up cut into use or otherwise intermeddle with the said channel or watercourse or such six feet of the soil as aforesaid such ploughing digging up cutting into using or otherwise intermeddling with the same as aforesaid shall be considered as a wilful trespass and the person or persons guilty thereof shall be deemed a wilful trespasser or trespassers and shall be answerable for such ploughing digging up cutting into using or otherwise intermeddling with the premises in an action at law for damages which action shall and may be brought by and in the name of the vice chancellor of the university of Cambridge in the county of Cambridge, for the time being or in the name of the clerk to the commissioners for the time being appointed by virtue of an Act of Parliament passed in the twenty eighth year of the reign of his present majesty for the better paving cleansing and lighting the town of Cambridge for removing and preventing obstructions and annoyances and for widening the streets lanes and other passages within the said town¹ and of another act of parliament passed in the thirty fourth year of the reign of his said majesty for amending and enlarging the powers of the said last-

¹ 28 Geo. 3. c. 64 (*supra*).

mentioned act :¹ . . . PROVIDED ALSO that nothing in this act contained shall extend or be construed to extend to deprive the master fellows and scholars of Emanuel college in the university of Cambridge or the master fellows and scholars of Christ college in the same university of any benefit or advantage which the said respective masters fellows and scholars derived from the said channel or watercourse previous to the passing of this act :² . . .

A. D. 1807.
Reserva-
tion of the
Rights of
Emanuel
College,
and Christ
College.

48^o GEO. III. CAP. LV.

An Act for repealing the Duties of Assessed Taxes, and granting new Duties in lieu thereof, and certain additional Duties to be consolidated therewith ; and also for repealing the Stamp Duties on Game Certificates, and granting new Duties in lieu thereof, to be placed under the Management of the Commissioners for the Affairs of Taxes.³

[1st June 1808.]

[Section 1 imposes the duties as set forth in Schedules (A.) to (K.) from the 5th of April, 1808. Section 2 repeals *inter alia* the duties granted by 43 Geo. 3. c. 161 (*supra*).

SCHEDULE (A.)

A SCHEDULE of the DUTIES made payable for every DWELLING HOUSE, within and throughout Great Britain, according to the Number of the WINDOWS or LIGHTS in each Dwelling House and the Offices to be charged therewith.

¹ 34 Geo. 3. c. 104 (*supra*).

² See further as to this watercourse (the 'New River'), and Hobson's conduit which it supplied with water, (*supra*) 28 Geo. 3. c. 64. s. 101, and (*infra*) 52 Geo. 3. c. 141, 4 Will. 4. c. 3. ss. 23-7, 7 & 8 Vict. c. lxii. ss. 189, 190, and 16 Vict. c. xxiii. s. 24.

³ The inhabited house duty was taken off by 4 & 5 Will. 4. c. 19; but by 14 & 15 Vict. c. 36 it was reimposed in lieu of the house and window tax which was abolished (ss. 1, 4), and the rules in Schedule (B.) to this Act (with an exception not affecting Rule IV) were made applicable to the new duty.

A. D. 1808.

.

RULES for charging Windows or Lights.

.

VIII.—Every distinct Chamber or Apartment in any of the Inns of Court, or of Chancery, or in any College or Hall, in either of the Universities of Oxford or Cambridge, or any public Hospital, being severally in the Tenure or Occupation of any Person or Persons, shall be subject to the same Duties as if the same was an entire House, which Duties shall be paid by the Occupier thereof respectively ; provided, that every such Chamber or Apartment, which shall not contain more than Seven Windows or Lights, shall be charged at the Rate of Three Shillings and Sixpence for every such Window or Light.

.

SCHEDULE (B.)

A SCHEDULE of the DUTIES made payable on all INHABITED DWELLING HOUSES throughout Great Britain, according to the Value thereof, and of the Offices and Lands to be charged therewith.

.

RULES for charging the said last-mentioned Duties.

.

IV.—Every Chamber or Apartment in any of the Inns of Court, or of Chancery, or in any College or Hall in any of the Universities of Great Britain, being severally in the Tenure or Occupation of any Person or Persons, shall be charged thereto as an entire House, and on the respective Occupiers thereof.

.

SCHEDULE (C.)

[Nos. 1, 2, 3, and 4 impose duties on Male Servants of different classes.]

EXEMPTIONS from the last-mentioned Duties, as set forth in Schedules (C.), No. 1, 2, 3, and 4. A. D. 1808.

II.—The said Duties not to be payable by any College or Hall within either of the Universities of Oxford or Cambridge, or the several Colleges of Westminster, Eton, or Winchester, for any Butler, Manciple, Cook, Gardener, or Porter;¹ . . .

48^o GEO. III. CAP. CXLIII.

An Act to repeal the Stamp Duties on Licences granted by Justices of the Peace for selling Ale, Beer, and other Exciseable Liquors by retail; and for granting other Duties in lieu thereof.²

[2d July 1808.]

[The Act (s. 1) repeals the duties granted by 44 Geo. 3. c. 98 (*supra*) on Justices' Ale Licences, and (s. 2) requires the licensees to take out excise licences, the duty on which is fixed at two guineas.]

VIII. Provided always, and be it further enacted, That nothing in this Act shall extend or be construed to extend to repeal or alter or in any Manner to affect any Law or Laws or any Provision in any Charter or Charters or any Privilege of any City or Town Corporate or of any University now in force, or lawfully used or exercised, in relation to the granting of Licences by any Justices, Magistrates,

Not to
repeal any
Regulation
as to
Licence
granted
by Magis-
trates.

¹ By 50 Geo. 3. c. 104. s. 1. Sched. 1 a duty is imposed for a gardener contracting to keep a garden not requiring his whole time, the duty to be subject to the exemptions for gardeners in this Act. The exemption for College servants is also repeated *verbatim* in 52 Geo. 3. c. 93 which imposes additional duties.

By 16 & 17 Vict. c. 90 the previous duties on male servants were *inter alia* repealed, and new duties imposed subject to no exemptions except those contained therein, among which is not included an exemption for college servants.

² This Act was in part repealed by 9 Geo. 4. c. 61. s. 35 (*infra*), and having been superseded by that and subsequent Acts was formally repealed by the S. L. R. Act, 1872 (No. 2).

A. D. 1808. or other Persons authorized by Law to grant Licences for Persons keeping common Inns, Ale Houses or Victualling Houses; or in relation to the taking of any Recognizances upon granting of any such Licences, or requiring or doing any other Act, Matter, or Thing relating to any such Licences: Save and except as to the Payment of Duties and Form of Licence as aforesaid, or to repeal or alter any Act or Acts of Parliament as to the Sale of Table Beer at a Price not exceeding Three Halfpence *per* Quart.

48^o GEO. III. CAP. CXLIX.

An Act for repealing the Stamp Duties on Deeds, Law Proceedings, and other written or printed Instruments, and the Duties on Legacies and Successions to Personal Estate upon Intestacies, now payable in *Great Britain*; and for granting new Duties in lieu thereof.¹ [2d July 1808.]

[Section 1 repeals *inter alia* the duties in Schedule (A.) to 44 Geo. 3. c. 98 (*supra*) (with certain exceptions, which include the duties on licences for the sale of ale, beer, and excisable liquors), and section 2 grants from the 10th of October, 1808, the duties specified in the Schedule annexed.]

¹ The duties imposed by this Act were repealed by 55 Geo. 3. c. 184. s. 1 (*infra*).

The SCHEDULE to which this Act refers.

A. D. 1808.

SCHEDULE.

PART THE FIRST:

Containing the Duties on ADMISSIONS to Offices, &c. ; on Instruments of CONVEYANCE, CONTRACT, OBLIGATION, and SECURITY for Money ; on DEEDS in general ; and on other INSTRUMENTS, Matters, and Things, not falling under either of the two following Heads.

PART THE FIRST.	Duty.
.	£. s. d.
ADMISSION or Matriculation of any Person in either of the Universities in <i>England</i>	0 10 0
ADMISSION of any Person to the Degree of a Bachelor of Arts, in either of the Universities in <i>England</i> , for the Register or Entry thereof,	
If conferred in the ordinary Course of the University	3 0 0
If conferred by special Grace, or Royal Mandate, or by reason of Nobility, or otherwise out of the ordinary Course	5 0 0
ADMISSION of any Person to any other Degree in either of the Universities in <i>England</i> , for the Register or Entry thereof,	
If conferred in the ordinary Course of the University	6 0 0
If conferred by special Grace, or Royal Mandate, or by reason of Nobility, or otherwise out of the ordinary Course, conferring any Right of Election in such University	10 0 0
.	
MATRICULATION in the Universities.—See ADMISSION.	
.	
TESTIMONIAL or Certificate of the Admission of any Person, to the Degree of a Bachelor of Arts, in either of the Universities in <i>England</i>	3 0 0
TESTIMONIAL or Certificate of the Admission of any Person, to any other Degree, in either of the said Universities	10 0 0

48^o GEO. III. Cap. 144.¹

A. D. 1808. An Act for vesting the Fee Simple of the Estates devised by the Will of *Edward Careswell*, Gentleman deceased, in Trustees for the Charitable Purposes therein mentioned. [25th June 1808.]

[Section 1 of the Act recites the will dated the 3rd of February, 1689, of Edward Careswell of Bobbington Co. Stafford devising estates, subject to certain life interests, under a settlement of the 9th of January, 1689, for the maintenance of eighteen scholars at Christ Church, Oxford, or, if they could not be accommodated there, in some other College or Hall of the same University; each scholar to receive £18 yearly for four years as an undergraduate, £21 yearly for three years after he should commence bachelor of arts and until he should commence master of arts, and £27 yearly for three years after he should commence master of arts; the scholars to be chosen from natives of the parishes where the estates lay or elsewhere in the County of Salop, and of least ability to maintain themselves, and to be scholars of the six free schools at the following places, namely, four from Shrewsbury, three from Bridgnorth, four from Newport, three from Shifnal, two from Wem, and two from Donnington; the scholars to be elected by the Chief Governor or Master of the College to which they were to be sent, or some one deputed by him, and the Justices of the Peace inhabiting or acting in the hundreds of Bradford, Stottesden, and Brimtree, or any three of them, the Master or his delegate being one. If the rents and profits became more valuable a proportionate increase was directed to be made in the number taken from each school, and if they fell short the election of one two or more scholars from the two last mentioned schools was to be for the time omitted.

Section 2 recites a codicil of the testator dated the

¹ L. & P.

24th of February, 1689, charging part of the estates A. D. 1808. with the payment of £10 a year for ever in augmentation of the Vicarage of Bobbington, and directs that to provide that sum a deduction of eleven shillings and one penny halfpenny shall be made from the allowance to each scholar.

Section 3 recites that the trustees of the settlement neglected to act and that after the determination of the life interests in 1736 the Attorney General took proceedings in Chancery to establish the charitable devise, and a decree was made accordingly, and various other orders and decrees subsequently, the last of which, dated the 1st of April, 1808, directed an application to Parliament to vest the estates in certain trustees; and the section proceeds to vest the estates accordingly.

Section 4 gives powers of appointing new trustees, section 5 provides for their indemnity, section 6 for the costs, sections 7 and 8 are saving clauses in the usual form, and section 9 makes a King's Printer's copy of the Act receivable in evidence.^{1]}

49^o GEO. III. CAP. XXXII.

An Act for continuing and making perpetual several A. D. 1809.
Duties of One Shilling and Sixpence, repealed by

¹ A Scheme made by the Charity Commissioners under the Endowed Schools Acts, dated the 17th of September, 1900, by which the Careswell Foundation is now regulated, provides that there shall be seventeen exhibitions of £50 a year for three years allotted to the schools, other than Donnington, named by the Founder; Shrewsbury receiving five and the other schools the same numbers respectively as directed by the Founder. The exhibitions are tenable at any University approved by the Governors, or at any University College so approved and receiving a share in the Government Grant in Aid. Exhibitions not taken up by the school to which they are allotted are not to be thrown open to the other schools, as had previously been the rule under a decree of the Court of Chancery made in 1780, but are to be applied with other surplus revenue in augmenting the exhibitions, either by extension to a fourth year, or by increasing the amount paid to an exhibitor least able to maintain himself.

Two of the nine Governors are nominated by Christ Church. The property of the Foundation is vested in the Official Trustee of Charities.

A. D. 1809. an Act of the last Session of Parliament, on Offices and Employments of Profit, and on Annuities, Pensions, and Stipends, and thereby granted for One Year to the Twenty-fifth Day of *March* One thousand eight hundred and nine.

[28th *April* 1809.]

[The Act re-grants in perpetuity the duties set out in the Schedules,¹ as to which see 32 Geo. 2. c. 33 and note thereon (*supra*).]

The SCHEDULE referred to by the Act of the Forty-ninth Year of His present Majesty's Reign.

No. I.

For every Twenty Shillings of the Yearly Value or Amount of all Salaries, Fees and Perquisites incident to, or received for or in respect of all Offices and Employments of Profit in *Great Britain*, granted by or derived from the Crown, exceeding the Value of One hundred Pounds *per Annum*, which have been heretofore rated or assessed by virtue of any Act for granting an Aid to His Majesty by a Land Tax, and which since the Act for the Redemption of such Part thereof as was charged on Lands, Tenements or Hereditaments, have been rated or assessed to the Tax on Offices or Employments of Profit, by virtue of any Act or Acts for continuing the said last mentioned Tax for One Year, and from Year to Year, over and above all other Duties already charged or payable the Sum of One Shilling.

¹ These duties where they were assessed by Land Tax Commissioners were extinguished in 1877, but not where deducted before payment out of the public revenue (39 & 40 Vict. c. 16. s. 12; 40 & 41 Vict. c. 10).

For every Twenty Shillings of all Pen-
sions and other Gratuities payable out of
any Revenue belonging to His Majesty in
Great Britain exceeding the Annual Value
of One hundred Pounds *per Annum*, over
and above all other Duties already charged
or payable, the Sum of One Shilling.

A. D. 1809.

No. II.

For and upon¹ all Salaries, Fees, and
Wages, payable for or in respect of Offices
of Profit granted by or derived from the
Crown, which have heretofore been rated
or assessed in Manner aforesaid, and for and
upon all Pensions and Annuities charged
upon the Revenue of *Great Britain*, over
and above all other Duties already charged
or payable, the Sum of Sixpence.

EXEMPTIONS to the several Duties, as set forth in the
Schedules No. I. and II. before mentioned.

.
Any Office or Employment in any of the Universities in
Great Britain.

52^o GEO. III. CAP. XVII.

An Act for the more effectual Preservation of the
Peace, by enforcing the Duties of Watching and
Warding, until the First Day of *March* One
thousand eight hundred and fourteen, in Places
where Disturbances prevail or are apprehended.²
[20th *March* 1812.]

.
¹ For 'For and upon' should be read 'For every Twenty Shillings of the
Yearly Value or Amount of'. See amending Act 49 Geo. 3. c. 110.
² This Act was continued by subsequent Acts, the last continuance, by
1 Geo. 4. c. 24, being to the 20th of June, 1824.

A. D. 1812. XXXVII. Provided always, and be it further enacted, That nothing in this Act contained shall extend, or be construed to extend, to prejudice or in any Manner to affect any Jurisdiction, Right, or Privilege, Claim or Custom, of either of the Two Universities of *Oxford* or *Cambridge*, but that the several Jurisdictions, Rights, Privileges, Claims, and Customs respectively, shall remain in full Force and Effect, any Thing in this Act contained to the contrary notwithstanding.

52° GEO. III. CAP. XXXVIII.

An Act for amending the Laws relating to the Local Militia in *England*. [20th April 1812.]

Certain
Persons ex-
empt from
Service.

XXXVIII. And be it further enacted, That no Peer of this Realm . . . nor any Person being a Resident Member of either of the Universities . . . shall be liable to serve in the Local Militia ;¹ . . .

52° GEO. III. CAP. CII.

An Act for the registering and securing of Charitable Donations. [9th July 1812.]

[The Act requires a memorial or statement of the real and personal estate, objects, and other particulars, of all charities founded or to be founded to be registered with the Clerk of the Peace.

Section 10 excludes from the operation of the Act charities or charitable donations not issuing out of or secured or directed to be secured on land or to be permanently invested in public Stocks or Funds, or which may be wholly expended by the Trustees at their discretion for the charitable purposes for which they were given.]

Act not to
extend to
any Royal

XI. And be it further enacted, That nothing in this Act shall be construed to extend to any Hospital, School, or

¹ For other enactments granting exemption from the militia to members of the universities see 31 Geo. 2. c. 26 and note thereto (*supra*).

other Charitable Institution whatsoever, which shall have been founded, improved, or regulated by or under the Authority of the King's most Excellent Majesty, or any of His Royal Predecessors, or of any special Act of Parliament thereunto particularly relating; nor to any Charitable Donation under the Superintendence of any such Hospital, School, or Institution, nor to the Governors of the Corporation of the Charity for the Relief of Poor Widows and Children of Clergymen, nor to any Friendly Society, the Rules whereof shall have been confirmed according to the Provisions of the Act or Acts for the Encouragement and Relief of Friendly Societies; nor to either of the Universities of *Oxford* or *Cambridge*, nor to any College or Hall thereto belonging, or to any Charitable Bequest, Devise, Gift, or Foundation whatsoever belonging thereto, or under the Controul, Direction, Superintendence, or Management of the said Universities, or either of them, or any College or Hall therein respectively; nor to the *Radcliffe* Infirmary within the University of *Oxford*; nor to the Colleges of *Westminster*, *Eton*, or *Winchester*, or any of them; nor to any Cathedral or Collegiate Church within *England* and *Wales*; nor to the Charter House; nor to the Corporation of the Trinity House of *Deptford Strond*; nor to any Funds applicable to charitable Purposes for the Benefit of any Persons of the *Jewish* Nation.

A. D. 1812.
Founda-
tions; nor
to certain
Institu-
tions:

52^o GEO. III. CAP. CXLVI.

An Act for better regulating and preserving Parish and other Registers of Births, Baptisms, Marriages, and Burials, in *England*. [28th July 1812.]

[The Act requires the officiating Minister of every parish and chapelry in England to keep registers of baptisms, marriages, and burials, and yearly to send copies of the entries verified by a declaration signed by him, his signature being attested by the Churchwardens or Chapelwardens, to the Registrar of the Diocese.]

A. D. 1812.
Provisions
of this Act
to extend to
Cathedral
Churches,
&c.

XX. And be it further enacted, That all and every the Provisions in this Act shall extend, so far as Circumstances will permit, to Cathedral and Collegiate Churches, and Chapels of Colleges or Hospitals, and the burying Grounds belonging thereto; and to the Ministers who shall officiate in such Cathedral or Collegiate Churches, and Chapels of Colleges or Hospitals and burying Grounds respectively, and shall baptize, marry or bury any Person or Persons, although such Cathedral or Collegiate Churches, or Chapels of Colleges or Hospitals, or the burying Grounds belonging thereto, may not be parochial, or the Ministers officiating therein may not be, as such, parochial Ministers, and there shall be no Churchwarden or Churchwardens thereof; and in all such Cases, the Books herein before directed to be provided, shall be provided at the Expence of the Body having Right to appoint the officiating Minister in every such Cathedral or Collegiate Church or Chapel of a College or Hospital; and Copies thereof shall be transmitted to the Registrar of the Diocese within which such Cathedral or Collegiate Church or Chapel of a College or Hospital shall be, by the officiating Minister of such Church, in like Manner as is herein directed with respect to parochial Ministers, and shall be attested by Two of the Officers of such Church, College, or Hospital, as the Copies of parochial Registers are herein directed to be attested by Churchwardens: Provided always, that nothing in this Act contained shall extend to repeal any Provision contained in an Act passed in the Twenty-sixth Year of the Reign of His late Majesty King *George the Second*, intituled *An Act for better preventing Clandestine Marriages*.

Not to re-
peal any
Provision
of 26 G. 2.
c. 33.

52^o GEO. III. Cap. 72.¹

An Act for enlarging the Term and Powers of Two Acts of His present Majesty, for amending certain

¹ L. & P.

Mileways leading to *Oxford*, and making Improvements in the University and City of *Oxford*, the Suburbs thereof, and adjoining Parish of *Saint Clement*, and for other Purposes.¹

[5th May 1812.]

WHEREAS an Act was passed in the Eleventh Year of His present Majesty's Reign, intituled *An Act* 11 G. 3. *for amending certain of the Mileways leading to Oxford*; ^{c. 19.} *for making a commodious Entrance through the Parish of Saint Clement*; *for rebuilding or repairing Magdalen Bridge*; *for making commodious Roads from the said Bridge through the University and City, and the Avenues leading thereto*; *for cleansing and lighting the Streets, Lanes and Places, within the said University and City, and the Suburbs thereof, and the said Parish of Saint Clement*; *for removing Nuisances and Annoyances therefrom, and preventing the like for the future*; *for empowering Colleges and Corporations to alienate their Estates there*; *for removing, holding, and regulating Markets within the said City, and for other Purposes*: And whereas an Act was passed in the Twenty-first year of His present Majesty's Reign, intituled *An Act to amend and enlarge the Powers of an Act, passed* 21 G. 3. *in the Eleventh Year of His present Majesty's Reign, for* ^{c. 47.} *performing several Works, and making Improvements within*

¹ This Act and the other Mileway Acts (11 Geo. 3. c. 19 (*supra*), 21 Geo. 3. c. 47 (*supra*), 5 & 6 Will. 4. c. lxix (*infra*), and 11 & 12 Vict. c. xxxvii (*infra*) were, on the establishment of a Local Board under the Local Government Act, 1858 (21 & 22 Vict. c. 98 (*infra*)) repealed by Art. 4 of the Order of 31st May, 1865, confirmed by 28 & 29 Vict. c. 108 (*infra*), except the provisions relating to Magdalen Bridge, the Mileways, and the tolls in respect of the same and mortgages thereof, and those relating to markets and gas supply, the excepted provisions, other than those relating to the markets, being by Art. 5 made applicable to the Local Board instead of the Commissioners.

By Art. XXIV of the Oxford Order, 1889, confirmed by 52 Vict. c. xv (*infra*), the unrepealed provisions were repealed, except those relating to markets, in respect of which the Corporation of the City was substituted for the Local Board, the Market Committee, and the University respectively, the right, however, of the University to appoint Clerks of the Market being preserved.

A. D. 1812. *the University and City of Oxford, and the Suburbs thereof, and in the adjoining Parish of Saint Clement:* And whereas the Commissioners have proceeded in the Execution of the said Acts, and have borrowed a considerable Sum of Money on the Credit of the Tolls granted and continued by the said recited Acts, Part whereof has been paid off: And whereas the said Tolls have Continuance from the Expiration of the Term granted by the said first recited Act, for an additional Term granted by the said last recited Act, of Twenty-one Years, and to the End of the then next Session of Parliament, and which additional Term is near expiring: And whereas the said Improvements cannot be completed, and the Mileways and Bridge and Avenues leading thereto, cannot be kept in Repair, and be cleansed and lighted, and the Money now remaining due on the Credit of the Tolls be repaid, unless the said Tolls are continued for a further Term: And whereas some further Amendments and Regulations are necessary to render the said Acts more effectual: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That so much of the said recited Acts, passed in the Eleventh and Twenty-first Years of His present Majesty's Reign, as relates to the Tolls thereby respectively granted, and to the Mileways, Bridge, and Avenues thereto, shall have Continuance from the Expiration of the Term by the said second recited Act limited, for and during the further Term of Twenty-one Years, and from thence to the End of the then next Session of Parliament.

Style of
Commis-
sioners.

II. And be it further enacted, That the Commissioners already appointed, and who shall be hereafter appointed, to put this and the said recited Acts in Execution, shall be named and styled *Commissioners for amending certain Mileways leading to Oxford, and making Improvements in the University and City of Oxford, the Suburbs thereof, and the Parish of Saint Clement, and for other Purposes.*

[Section 3 deals with procedure of the Commissioners A. D. 1812. and section 4 makes good acts done by Commissioners not duly qualified.]

V. And be it further enacted, That from and after the Rates. passing of this Act the said Commissioners, or any Seven or more of them, shall annually, and not oftener, ascertain in the Manner by the said last recited Act directed, the Sum of Money they shall judge necessary to be raised for the Purposes of new paving and pitching, and also the Sum they shall judge necessary for repairing, lighting and cleansing the several public Streets, Lanes, Ways, Passages and Places within the said University, City, Suburbs, and Parish of *Saint Clement*; and that Two-fifth Parts of such Sums shall be paid by the said University in the Manner directed by the said last recited Act, and the remaining Three-fifths thereof shall be raised by Rates or Assessments to be made by any Seven or more of the said Commissioners in Manner following; (that is to say), A Rate for new paving and pitching shall be laid by a Pound Rate upon the Owners and Proprietors of all Houses, Buildings, Yards, Gardens, Lands, Tenements and Hereditaments, within the said University and City, and the Suburbs of the said City, and the said Parish of *Saint Clement*, not exceeding the Sum of One Shilling in the Pound of the yearly Value of such Houses, Buildings, Yards, Gardens, Lands, Tenements and Hereditaments respectively; and a Rate for repairing, lighting, and cleansing, shall be laid by a Pound Rate on the Occupiers of such Houses, Buildings, Yards, Gardens, Lands, Tenements and Hereditaments, not exceeding the Sum of Two Shillings in the Pound of the yearly Value of such Houses, Buildings, Yards, Gardens, Lands, Tenements and Hereditaments respectively; and that the Rates or Assessments which shall be first made after the passing of this Act shall commence on the Feast Day of *Saint John the Baptist* then next for One Year, and every subsequent Rate or Assessment shall be made in like manner for One Year, to commence from the said Feast Day in every Year respectively; . . .

A. D. 1812. [The remainder of section 5 deals with the collecting of rates and levying of distress in case of default.

Sections 6-8 contain further provisions as to rates.]

Clerks may
appoint a
Deputy to
receive
Mileway
Monies.

IX. And be it further enacted, That it shall be lawful for the Clerk or Clerks to the said Commissioners for the Time being, from Time to Time, by Writing under his or their Hands, to appoint a Deputy or Deputies, Bailiff, or Bailiffs, to act for him or them, and to demand and receive the respective Annual Sums as were formerly payable to the Vice-Chancellor and Mayor, for and towards the repairing of the Mileways, (and by the said first recited Act placed under the Direction and Management of the said Commissioners¹), of and from the Surveyors of the Highways, or the Constables, in case there shall be no Surveyor of each respective Parish or Township, liable to pay the same; and in Default of Payment thereof, or of any Part thereof, to levy the same by Distress and Sale of the Goods of the Surveyors, or either of them, or of the Constables, or either of them, of the said Parishes or Townships respectively, in like Manner as the said Clerk or Clerks to the said Commissioners for the Time being is or are by the said Act, authorized and empowered to demand, receive and distrain for such Sums; and it shall be lawful for the Surveyor or Surveyors, or Constable or Constables, who shall have paid such Sums, or on whom Distress shall have been made, to reimburse himself or themselves respectively, the Sums so paid or distrained for by collecting the same of the Persons whose Estates have usually been chargeable therewith, or by any other Means, whereby, according to the Laws now in being, Surveyors of Highways are to be reimbursed the Monies by them expended in buying Materials for, or in amending the Highways.

[Sections 10-13 contain miscellaneous provisions with regard to the removal of woodstacks (s. 10), the prohibition of thatched roofs (s. 11), the placing in the streets of ashes dirt or rubbish (s. 12) or building materials (s. 13), and imposing penalties on offenders.]

¹ See (*supra*) 18 Eliz. c. 20 and 11 Geo. 3. c. 19. s. 19.

XIV. And be it further enacted, That from and after the passing of this Act, if any Person or Persons shall wilfully break, throw down, or otherwise damage any of the Lamps erected by virtue of the said recited Acts, or either of them, or any of the Posts, Iron, or Furniture thereof, or shall extinguish the Lights of any of the said Lamps, every such Offender shall forfeit and pay any Sum not exceeding Forty Shillings for each Lamp so broken or thrown down, damaged or extinguished as aforesaid; and the said Penalties shall be recovered, levied and applied, and all Matters and Proceedings respecting the same shall be enquired into and had, and all such Offenders shall be punished by the same Means and Methods as are respectively prescribed by the said first recited Act, with respect to the like Offences committed by Persons matriculated, or being Members of the said University, and by any other Person or Persons, and full Satisfaction shall also be made to the said Commissioners, by every such Offender, for the Damage done by him; and the Amount of such Satisfaction shall be ascertained by the Justice of the Peace who shall enquire into the Offence, and be recovered in like Manner as any Penalties are by this Act or the said recited Acts recoverable.

[Section 15 authorizes the Commissioners to water the streets.

Sections 16-22 prohibit under penalties various nuisances and obstructions in the streets.

Section 23 repeals s. 70 of 11 Geo. 3. c. 19 as to the lighting of cellar windows; and section 24 prohibits under a penalty such windows being left open except temporarily in daylight.

Sections 25-27 deal with sewers and drains.

Section 28 authorizes the Commissioners to bar the roads during repairs.]

XXIX. And be it further enacted, That it shall be lawful for the said Commissioners, or any Five or more of them, from Time to Time, as they shall think proper, to compound with any Person or Persons inhabiting within the said Univer-

Commissioners
may compound for
sweeping
Footpaths.

A. D. 1812. sity, City, Suburbs, or Parish of *Saint Clement*, by the Year for such Sum or Sums of Money as the said Commissioners shall think proper, for the sweeping or cleansing the Footpaths before the respective Colleges, Halls, Houses, Buildings and Walls, to be done by such Person or Persons respectively, pursuant to the Directions of the said recited Acts ;¹ and the Monies paid in respect of such Composition, shall be applied for or towards the sweeping or cleansing the Footpaths.

[Section 30 vests in the Commissioners the property in pavements of footways and carriage ways and lamps fixed by virtue of the Acts.

Sections 31-37 deal with legal proceedings, section 38 with the expenses of procuring this Act.

Section 39 repeals so much of 11 Geo. 3. c. 19 (*supra*) (s. 74) as gives to the Commissioners on the death or bankruptcy of any collector priority in respect of monies received by him under the Act.]

Provisions
in former
Acts con-
tinued with
this, except
such as are
repealed or
varied.

XL. And be it further Enacted, That all the Clauses, Powers, Provisions, Regulations and Authorities, enacted by or contained in either of the said recited Acts, and now in Force, (except so far as the same are by this Act repealed or varied, and save and except such Part as relates to Exemptions from Stamp Duties²), shall for the Purposes of this Act, and together with this Act, be applied to, and be executed and put in Force for the Purposes therein and herein mentioned and specified, in as full and ample a Manner as could or might be done if this Act and the said recited Acts were but one Act.

[Section 41 declares the Act to be a public Act.]

52^o GEO. III. *Cap.* 141.³

An Act for making and maintaining a Navigable Canal with Aqueducts, Feeders, and Reservoirs,

¹ See 21 Geo. 3. c. 47. s. 41 (*supra*). ² 11 Geo. 3. c. 19. s. 100 (*supra*).

³ L. & P.

from the *Stort* Navigation at or near *Bishop's A. D. 1812.*
Stortford, in the County of *Hertford*, to join the
River *Cam*, near *Clay-hithe Sluice*, in the County
of *Cambridge*, with a Navigable Branch or Cut
from the said Canal at *Sawston* to *Whaddon*, in
the County of *Cambridge*. [9th June 1812.]

XLIII. And whereas there is in the Town of Cambridge For pro-
a certain Conduit called *Hobson's Conduit*,¹ which is vested tecting
in Trustees or Feoffees for the Benefit of the Inhabitants of Hobson's
the said Town, and of the Masters, Fellows, and Scholars Conduit.
of the several Colleges of *Christ* and *Emanuel*, in the
University of *Cambridge*, and other persons: And whereas
the said Conduit is supplied with Water from certain
Springs and Watercourses in the Vicinity of the said
Town, near to which the Line of the intended Canal is
proposed to be carried, and a plentiful Supply of pure and
wholesome Water, being essential to the Health and Com-
fort of the said Inhabitants, Masters, Fellows, and Scholars,
it is just and reasonable that the said Company of Pro-
prietors be prohibited from using, diverting, intercepting,
or injuring any of the Springs, Waters, or Watercourses
from whence the said Conduit is supplied with Water; be
it therefore enacted, That nothing in this Act contained
shall authorize or empower the said Company of Pro-
prietors, or any of their Servants, Agents, or Workmen, to
take, use, injure, or diminish, or cause or suffer to be taken,
used, injured, or diminished any of the Springs of Water,
Waters, Rivers, or Brooks, by or from which the Conduit
in the Town of *Cambridge* called *Hobson's Conduit*, now is
or usually hath been supplied with Water, or to divert,
intercept, alter, obstruct, or diminish, or cause or suffer to

¹ See further as to Hobson's Conduit and the springs and watercourses
which supply it (*supra*) 28 Geo. 3. c. 64. s. 101, 47 Geo. 3. Sess. 2. c. 60. s. 31,
and (*infra*) 4 Will. 4. c. 3. ss. 23-27, 7 & 8 Vict. c. lxii. ss. 189, 190, and 16
Vict. c. xxiii. s. 24.

*Cap. 141] London and Cambridge Junction Canal. [52 GEO. 3
Hobson's Conduit.*

A. D. 1812. be diverted, intercepted, altered, obstructed, or diminished any Stream, Watercourse, or Channel, along or through which the Water for supplying the said Conduit is or would otherwise be carried or conveyed; and that the said Company of Proprietors shall and they are hereby required at their own proper Costs and Charges, as soon as the said Canal shall be cut, at all Times thereafter to lay, make, construct, and form, and to maintain and keep in good Repair in all Places where it may be requisite, to prevent the intended Canal from intercepting or intersecting any such Stream, Watercourse, or Channel, proper Soughs, Tunnels, Arches, or Pipes, of sufficient Size and Dimensions, in order that the Waters for supplying the said Conduit may flow undiminished, and without any Adulteration or Injury in their present Courses and Channels, to the said Conduit called *Hobson's Conduit*, and that if at any Time the said Company of Proprietors, their Servants, Agents, or Workmen, shall take, use, injure, or diminish, divert, intercept, alter, or obstruct, or cause or suffer to be taken, used, injured, diminished, diverted, intercepted, altered, or obstructed any of such Springs of Water, Waters, Rivulets, Brooks, Streams, or Watercourses, or shall neglect so to lay, make, construct, or form, or to maintain and keep in Repair any such Sough, Tunnel, Arch or Pipe, as herein-before directed, to be laid, made, maintained, or kept in Repair, the said Company of Proprietors shall in every Case forfeit the sum of Ten thousand Pounds to the Feoffees or Trustees of the said Conduit called *Hobson's Conduit*; and the Masters, Fellows, and Scholars of the said Two Colleges, to be paid out of the Monies to be raised, received, or collected by virtue of this Act, and to be recovered from the said Company of Proprietors by any Three or more of the said Feoffees or Trustees, Masters, Fellows, and Scholars, by Action of Debt in any of His Majesty's Courts of Record at *Westminster*, in which no Essoign, Protection, or Wager of Law, or more than One Imparance shall be allowed; and every

such Penalty when recovered, shall be applied for the A. D. 1812.
 Purposes and Benefit of the said Trust.

XLIV. And be it further enacted, that if the Wells, Streams, Watercourses, or Channels by means or from which the said Conduit called *Hobson's Conduit*, is now supplied with Water, shall at any Time or Times be used, diverted, injured, obstructed, intercepted, or intersected by any Works executed or to be executed by or by the Direction or Authority of the said Company of Proprietors, and they or their Clerk or Treasurer shall have received Notice in Writing under the Hands of Three or more of the Feoffees or Trustees of the said Conduit called *Hobson's Conduit*, or of the said Masters, Fellows, and Scholars of the said Two Colleges, to remove or alter any such Works so using, diverting, injuring, obstructing, intercepting, or intersecting such Waters, Streams, Watercourses or Channels, and shall for the Space of Six Days after such Notice neglect to remove or alter such Works, it shall be lawful for any Person and Persons having the Order and Direction in Writing of any Three or more of such Feoffees or Trustees, Masters, Fellows, and Scholars, at the Costs and Expences of the said Company of Proprietors to remove, take away, and destroy any such Work so using, diverting, injuring, obstructing, intercepting, or intersecting the said Waters, Streams, Watercourses, or Channels, and to do all further and requisite Acts and Deeds which may be necessary to restore and retain the said Streams, Waters, and Watercourses in all respects to, and in the usual and accustomed Course and Channel, without becoming subject or liable to any Suit, Action, Prosecution, Fine, Penalty, or other Proceedings on account thereof; any Thing in this Act contained to the contrary thereof in anywise notwithstanding; and this Act shall be a sufficient Authority for an Indemnity to all Persons so acting under such Order and Direction as aforesaid: And it shall and may be lawful for any Justice of the Peace for the County of *Cambridge*, (not interested in the Premises), to ascertain and settle such

For re-
 storing
 Streams
 supplying
 Hobson's
 Conduit.

Cap. 141] *London and Cambridge Junction Canal.* [52 GEO. 3
Hobson's Conduit.

A. D. 1812. last-mentioned Costs and Expences, and such Costs and Expences when so ascertained shall and may be levied by Distress and Sale of the Goods and Chattels of the said Company of Proprietors, by virtue of a Warrant under the Hand and Seal of any Justice of the Peace for the County, Town, or Place in which any of the Goods and Chattels of the said Company of Proprietors can or may be found, (and which Warrant such Justice is hereby empowered and required to grant) rendering the Overplus (if any), after deducting the Expences of such Distress and Sale, on Demand to the Clerk or Treasurer to the said Company of Proprietors: And it shall and may also be lawful to and for such Justice of the Peace to ascertain and settle the Compensation to be made to the Owners and Occupiers of any Lands so entered upon for the Purpose aforesaid, for any Injury sustained by such Owners and Occupiers by reason or means of such Entry, and the same, when so ascertained, shall and may be levied by Distress and Sale of the Goods and Chattels of the said Company of Proprietors, in like Manner as the said Costs and Expences last-mentioned.

The River
Cam.

[Section 54 enacts, that if after the opening of the London and Cambridge Junction Canal the tolls of the River Cam¹ shall in any year fall short of the sum of 1032*l.* 0*s.* 6½*d.*, the Canal Company shall make good the deficiency; the sum to be increased or diminished rateably with any raising or reducing of the tolls by the Cam Conservators.

Section 55 empowers the Canal Company to cleanse the River Cam from Clayhithe Ferry to the Queen's Mill with consent of the Conservators of the River.

Section 56 saves all rights of the Conservators of the Cam.

Section 166 declares the Act to be a public Act.]

¹ See 14 & 15 Vict. c. xcii (*infra*).

53^o GEO. III. CAP. CXVI.

An Act to alter and amend Two Acts of the Thirty-^{A. D. 1813.}
first Year of King *George* the Second, and the
Thirteenth Year of His present Majesty, so far as
relates to the Price and Assize of Bread to be
sold out of the City of *London* and the Liberties
thereof, and beyond the Weekly Bills of Mortality,
and Ten Miles of the *Royal Exchange*.¹

[10th July 1813.]

[Section 12 is a repetition with immaterial verbal variations of 31 Geo. 2. c. 29. s. 44 (*supra*) saving the jurisdiction of the Universities or their Clerks of the Market with regard to the assize and weight of bread.]

53^o GEO. III. Cap. 214.²

An Act for extending and amending an Act of
Queen *Anne*, for making the River *Cham* more
navigable, from *Clayhithe Ferry* to the *Queen's*
Mill, in the County of *Cambridge*.³

[21st July 1813.]

[The Act confers additional powers on the Conservators appointed under 1 Ann. st. 2. c. 11 (*supra*).]

III. And be it further enacted, That the said Conservators,
or the major Part of them, with the Consent of the Chan-
cellor or his Deputy and Twelve of the Heads of the said
University for the Time being, or their Deputies or the major
Part of them, shall from Time to Time, after the passing
of this Act, have full Power and Authority to make such
new Rules, Bye Laws, and Orders, for the good and orderly

Power to
make Bye
Laws.

¹ This Act was repealed by 6 & 7 Will. 4. c. 37. s. 1 (*infra*).

² L. & P.

³ This Act was repealed by 14 & 15 Vict. c. xcii. s. 1 (*infra*).

A. D. 1813. using the said Navigation, and for the well governing the Bargemen, Boatmen, Lightermen, Watermen, and others, who shall convey or carry any Goods, Wares, and Merchandise upon any Part of the said River, and to impose and inflict such reasonable Fines and Forfeitures upon all Persons offending against such new Rules, Bye Laws or Orders, or any of them, as to the said Conservators, or the major Part of them, shall seem meet, not exceeding the Sum of Ten Pounds for any One Offence; which said Rules, Bye Laws, or Orders being put into Writing, under the Hands of the said Conservators, or the major Part of them, shall be binding to and upon, and shall be observed by all Parties, and shall be sufficient in any Court of Law or Equity, to justify all Persons who shall act under the same, provided such Rules, Bye Laws, or Orders be not repugnant to the Laws of that Part of the United Kingdom of *Great Britain and Ireland* called *England*, or any Thing in this Act or in the said recited Act contained.

[Section 23 declares the Act to be a public Act.]

54^o GEO. III. CAP. CLVI.

A. D. 1814. An Act to amend the several Acts for the Encouragement of Learning, by securing the Copies and Copyright of printed Books, to the Authors of such Books, or their Assigns.¹

[29th July 1814.]

8 Anne,
c. 19.²

WHEREAS by an Act, made in the Eighth Year of the Reign of Her late Majesty Queen *Anne*, intituled *An Act for the Encouragement of Learning, by vesting the Copies of printed Books in the Authors or Purchasers of such Copies, during the Times therein mentioned*, it was, among other Things provided and enacted,

¹ So much of this Act as requires copies of books to be delivered to the libraries of Sion College, the Scotch Universities, and the King's Inns, Dublin, was repealed, compensation being provided, by 6 & 7 Will. 4. c. 110. The whole Act was repealed by 5 & 6 Vict. c. 45. s. 1 (*infra*).

² 8 Ann. c. 21 [c. 19., Ruff.] (*supra*).

That Nine Copies of each Book or Books, upon the best A. D. 1814. Paper, that from and after the Tenth Day of *April* One thousand seven hundred and ten should be printed and published as in the said Act mentioned, or reprinted and published with Additions, should, by the Printer and Printers thereof, be delivered to the Warehousekeeper of the Company of Stationers for the Time being, at the Hall of the said Company, before such Publication made, for the Use of the Royal Library, the Libraries of the Universities of *Oxford* and *Cambridge*, the Libraries of the Four Universities in *Scotland*, the Library of *Sion* College in *London*, and the Library of the Faculty of Advocates at *Edinburgh*; which said Warehousekeeper is by the said Act required to deliver such Copies for the Use of the said Libraries; and that if any Proprietor, Bookseller, or Printer, or the said Warehousekeeper, should not observe the Directions of the said Act therein, that then he or they so making Default in not delivering the said printed Copies, should forfeit, besides the Value of the said printed Copies, the Sum of Five Pounds for every Copy not so delivered: And whereas by an Act made in the Forty-first Year of the Reign of His present Majesty, intituled *An Act for the further Encouragement of Learning in the United Kingdom of Great Britain and Ireland, by securing the Copies and Copyright of printed Books to the Authors of such Books or their Assigns, for the Time herein mentioned*, it is amongst other Things provided and enacted, That in Addition to the Nine Copies required by Law to be delivered to the Warehousekeeper of the said Company of Stationers, of each and every Book and Books which shall be entered in the Register Books of the said Company, Two other Copies shall in like Manner be delivered for the Use of the Library of the College of the *Holy Trinity*, and the Library of the Society of the *King's Inns* in *Dublin*, by the Printer and Printers of all and every such Book and Books as should thereafter be printed and published, and the Title of the Copyright whereof should be entered in the said Register Book of the said Company: And whereas it is

41 Geo. 3.
c. 107.

A. D. 1814. expedient that Copies of Books hereafter printed or published, should be delivered to the Libraries herein-after mentioned, with the Modifications that shall be provided by this Act; May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That so much of the said several recited Acts of the Eighth Year of Queen *Anne*, and of the Forty-first Year of His present Majesty, as requires that any Copy or Copies of any Book or Books which shall be printed or published, or reprinted and published with Additions, shall be delivered by the Printer or Printers thereof to the Warehousekeeper of the said Company of Stationers, for the Use of any of the Libraries in the said Act mentioned, and as requires the Delivery of the said Copies by the said Warehousekeeper for the Use of the said Libraries, and as imposes any Penalty on such Printer or Warehousekeeper for not delivering the said Copies, shall be and the same is hereby repealed.

Provisions
of recited
Acts, as to
delivering
Copies to
Public
Libraries,
repealed.

Eleven
printed
Copies
shall be
delivered
on Demand
within 12
Months
after Pub-
lication,
for the Use
of certain
Public
Libraries.

II. And be it further enacted, That Eleven printed Copies of the Whole of every Book and of every Volume thereof, upon the Paper upon which the largest Number or Impression of such Book shall be printed for Sale, together with all Maps and Prints belonging thereto, which, from and after the passing of this Act, shall be printed and published, on Demand thereof being made in Writing to or left at the Place of Abode of the Publisher or Publishers thereof, at any Time within Twelve Months next after the Publication thereof, under the Hand of the Warehousekeeper of the Company of Stationers, or the Librarian or other Person thereto authorized by the Persons or Body Politic and Corporate, Proprietors or Managers of the Libraries following; *videlicet*, the *British Museum*, *Sion College*, the *Bodleian Library* at *Oxford*, the *Public Library* at *Cambridge*, the *Library of the Faculty of Advocates* at *Edinburgh*, the *Libraries of the Four Universities of Scot-*

land, Trinity College Library, and the King's Inns Library A. D. 1814. at *Dublin*, or so many of such Eleven Copies as shall be respectively demanded on Behalf of such Libraries respectively, shall be delivered by the Publisher or Publishers thereof respectively, within One Month after Demand made thereof in Writing as aforesaid, to the Warehousekeeper of the said Company of Stationers for the Time being; which Copies the said Warehousekeeper shall and he is hereby required to receive at the Hall of the said Company, for the Use of the Library for which such Demand shall be made, within such Twelve Months as aforesaid; and the said Warehousekeeper is hereby required, within One Month after such Book or Volume shall be so delivered to him as aforesaid, to deliver the same for the Use of such Library: And if any Publisher, or the Warehousekeeper of the said Company of Stationers, shall not observe the Directions of this Act therein, that then he and they so making Default in not delivering or receiving the said Eleven printed Copies as aforesaid, shall forfeit, besides the Value of the said printed Copies, the Sum of Five Pounds for each Copy not so delivered or received, together with the full Costs of Suit; the same to be recovered by the Person or Persons, or Body Politic or Corporate, Proprietors or Managers of the Library for the Use whereof such Copy or Copies ought to have been delivered or received; for which Penalties and Value such Person or Persons, Body Politic or Corporate, is or are now hereby authorized to sue by Action of Debt or other proper Action in any Court of Record in the United Kingdom.

III. Provided always, and be it further enacted, That no such printed Copy or Copies shall be demanded by or delivered to or for the Use of any of the Libraries herein-before mentioned, of the Second Edition, or of any subsequent Edition of any Book or Books so demanded and delivered as aforesaid, unless the same shall contain Additions or Alterations: And in case any Edition after the First, of the Book so demanded and delivered as aforesaid,

No Copies of a Second or subsequent Edition, without Addition or Alteration, to be demanded; Additions to be

A. D. 1814. shall contain any Addition or Alteration, no printed Copy or Copies thereof shall be demanded or delivered as aforesaid, if a printed Copy of such Additions or Alterations only, printed in an uniform Manner with the former Edition of such Book, be delivered to each of the Libraries aforesaid, for whose Use a Copy of the former Edition shall have been demanded and delivered as aforesaid: Provided also, that the Copy of every Book that shall be demanded by the *British Museum*, shall be delivered of the best Paper on which such Work shall be printed.

Ware-house-keeper of Stationers Hall to transmit to Librarians Lists of Books entered; and call on Publisher for the Copies demanded.

VI. And be it further enacted, That the said Warehouse-keeper of the Company of Stationers shall from Time to Time and at all Times, without any greater Interval than Three Months, transmit to the Librarian or other Person authorized on Behalf of the Libraries before mentioned, correct Lists of all Books entered in the Books of the said Company, and not contained in former Lists; and that on being required so to do by the said Librarians or other authorized Person, or either of them, he shall call on the Publisher or Publishers of such Books, for as many of the said Copies as may have been demanded of them.

Publishers may deliver such Books at the Library.

VII. Provided always, and be it further enacted, That if any Publisher shall be desirous of delivering the Copy of such Book or Volume as aforesaid, as shall be demanded on Behalf of any of the said Libraries, at such Library, it shall and may be lawful for him to deliver the same at such Library, to the Librarian or other Person authorized to receive the same, (who is hereby required to receive and to give a Receipt in Writing for the same); and such Delivery shall, to all Intents and Purposes of this Act, be held as equivalent to a Delivery to the said Warehouse-keeper.

54^o GEO. III. Cap. 205.¹

An Act for amending Two several Acts of the Tenth and Thirty-fifth Years of the Reign of

¹ L. & P.

His present Majesty, relating to the Estates devised by *William Hulme* Esquire; and to enable the Trustees thereof to apply the Trust Monies in making an Allowance to and Provision for the Exhibitioners of certain Exhibitions, founded by the said Testator in *Brazen-Nose College, Oxford*; and also in founding and supporting a Lecture in Divinity in the said College; and to incorporate the said Trustees; and for other Purposes therein mentioned.¹ [14th July 1814.] A. D. 1814.

[This Act recites 10 Geo. 3. c. 51 (*supra*), and 35 Geo. 3. c. 62 (*supra*); and further that there were then fifteen exhibitioners receiving £110 a year each; that the income of the trust estates was £2,502 16s. 8d. or thereabouts besides the interest on £23,700 or thereabouts saved out of income; that the College could not accommodate the exhibitioners with rooms, and that the expense of lodgings had risen, and the exhibitions were inadequate; that the appointment of a lecturer in divinity would promote the objects of the testator; that the benefits of the exhibitions would be increased if they could be given one year before the taking of the degree of bachelor of arts, and that it was expedient that the trustees should be empowered to allow the exhibitioners to be absent from residence during certain times of the year.

The Act then gives power to raise the exhibitions to any sum not exceeding £220 a year, to acquire leasehold or freehold houses in Oxford and accommodate the exhibitioners therein rent free (not more than £5,000 being expended in purchase of houses), and to appoint a Hulme Lecturer in Divinity on the nomination of the Principal of the College at a salary not exceeding £150 a year. It incorporates the trustees

¹ See further as to the Hulme Foundation (*infra*) 7 & 8 Geo. 4. c. 9, 2 Vict. c. 17, 7 Edw. 7. c. cx, and note to the last of those Acts.

A. D. 1814.

and raises their number to twelve. It authorizes them to confer exhibitions on undergraduates who have entered upon their thirteenth term, to be forfeited if they do not take their degree within eight months after they are of standing to do so, otherwise to continue for four years; and further empowers the trustees to dispense exhibitioners from residence during such parts of the year not being in full term as they think fit provided that the rules or discipline of the College be not interfered with.]

54 GEO. III. Cap. 225.¹

An Act for confirming the Annexation of the Rectory of *Elingham*, in the County of *Norfolk*, to the Mastership of *Magdalen College*, in the University of *Cambridge*.² [27th July 1814.]

Will of
Lord
Howard de
Walden
and Lord
Bray-
brooke, 1st
March
1796.

WHEREAS the Right Honourable *John Griffin* Lord *Howard de Walden* and Lord *Braybrooke* duly made and published his last Will and Testament in Writing, bearing Date the First Day of *March* One thousand seven hundred and ninety-six, and thereby (after certain Devises and Bequests) gave and devised the Reversion or Remainder in Fee Simple of and in the several Manors, capital Messuage or Mansion House, Park, Messuages, Farms, Lands, Tenements, Rectories, Tithes, Advowsons, Woods, and Hereditaments, in the Counties of *Essex* and *Cambridge*, and each of them, and of and in the Rectory of *Ellingham*, in the Deanery of *Brook*, in the County of *Norfolk*, and also of and in the Patronage, Donation, and

¹ L. & P.

² By a scheme of the Ecclesiastical Commissioners under 3 & 4 Vict. c. 113. s. 69 (*infra*), dated the 11th and approved by the Queen in Council on the 24th of February, 1843, *Elingham Rectory* was severed from the Mastership of *Magdalene College*; it was afterwards sold and, under another scheme dated the 30th of May and approved by the Queen in Council on the 10th of June, 1843, conveyed to the purchasers, the purchase money being appropriated to the endowment of the Mastership. (See *London Gazette*, 1843, Vol. 1. pp. 686, 2062.) The severance took effect in the same year on the resignation of the rectory by the Hon. and Rev. George Grenville, then Master of the College.

free Disposition of the Mastership of *Magdalen College* in A. D. 1814.
the University of *Cambridge*, which he was entitled to by
virtue of certain Indentures of Lease and Release of the
Ninth and Tenth Days of *February* One thousand seven
hundred and sixty-three, and of the Common Recovery
suffered in pursuance of the Agreement in the same Inden-
ture of Release for that Purpose contained, and of the Uses
of the said Recovery thereby declared ; and by virtue of the
Will of his Aunt the Countess of *Portsmouth*, and all his
Estate and Interest therein respectively (save and except
the said Rectory of *Elingham*, in the County of *Norfolk*,
and subject as to such Parts of the said Estates as had
been purchased by him to certain Rent Charges or yearly
Sums therein-before mentioned), unto Sir *Nathaniel Duken-*
field Baronet, and Sir *George Cornewall* Baronet, their
Heirs and Assigns, to the several Uses, upon the Trusts,
and for the Ends, Intents, and Purposes therein-after limited,
expressed and declared of and concerning the same, and in
Part herein-after mentioned ; (that is to say), to the Use of
Richard Aldworth Griffin Lord *Braybrooke* (therein called
the said Testator's Cousin *Richard Aldworth Neville*), and
his Assigns, during his Life, without Impeachment of Waste,
(except in the said Testator's Mansion House at *Audley*
End); with Remainder to the Use of the said Sir *Nathaniel*
Dukenfield and Sir *George Cornewall*, and their Heirs, during
the Life of the said *Richard Aldworth Griffin* Lord *Bray-*
brooke, upon Trust, to preserve the Contingent Remainders ;
with Remainder to the Use of the Honourable *Richard*
Neville (therein called the eldest Son of the said *Richard*
Aldworth Neville), and his Assigns during his Life, without
Impeachment of Waste, (except as aforesaid); with Re-
mainder to the Use of the said Sir *Nathaniel Dukenfield*
and Sir *George Cornewall*, and their Heirs, during the Life
of the said *Richard Neville*, upon Trust to preserve the
Contingent Remainders ; with Remainder to the Use of
the First and other Sons of the said *Richard Neville* suc-
cessively in Tail Male ; with Remainder to the Use of the

A. D. 1814. Honourable *Henry Neville*, (since deceased) (therein called the Second Son of the said *Richard Aldworth Neville*), and his Assigns, during his Life, without Impeachment of Waste (except as aforesaid); with Remainder to the Use of the said Sir *Nathaniel Dukenfield* and Sir *George Cornewall*, and their Heirs, during the Life of the said *Henry Neville*, upon Trust, to preserve the Contingent Remainders; with Remainder to the Use of the First and other Sons of the said *Henry Neville* successively in Tail Male; with Remainder to the Use of the Honourable and Reverend *George Neville* (therein called the Third Son of the said *Richard Aldworth Neville*) and his Assigns, during his Life, without Impeachment of Waste (except as aforesaid); with Remainder to the Use of the said Sir *Nathaniel Dukenfield* and Sir *George Cornewall*, and their Heirs, during the Life of the said *George Neville*, upon Trust, to preserve the Contingent Remainders; with Remainder to the Use of the First and other Sons of the said *George Neville* successively in Tail Male; with Remainder to the Use of the Fourth, Fifth, and all and every other the Son and Sons of the said *Richard Aldworth Griffin* Lord *Braybrooke*, who should be living, or *en ventre sa mere*, at the Time of the said Testator's Decease, and of the First and other Sons of such Sons respectively and successively, and with intervening Remainders to the said Sir *Nathaniel Dukenfield* and Sir *George Cornewall*, and their Heirs, as Trustees, to preserve Contingent Remainders, in the same Manner and for the same Estates as he had therein-before limited his said Estates to the several Tenants for Life therein-before named, and their First and other Sons as aforesaid, the elder of such Sons, and his First and other Sons, and the respective Heirs Male of their respective Bodies being always to be preferred, and to take before the younger of such Sons and his First and other Sons, and the Heirs Male of their respective Bodies; with Remainder to the Use of all and every other the Son and Sons of the said *Richard Aldworth Griffin* Lord *Braybrooke* successively in Tail Male; with

Remainder to the Use of his the said Testator's Wife A. D. 1814.
Katherine Lady Howard and Braybrooke (since deceased)
 and her Assigns during her Life, without Impeachment of
 Waste (except as aforesaid); with Remainder to the Use
 of the said Testator's Friend and Relation *John* Earl of
Suffolk, and the Heirs Male of his Body lawfully issuing,
 who should at such Time and from Time to Time be Earls
 of *Suffolk*, with Remainders over; and as to the Reversion
 or Remainder in Fee Simple of and in the said Rectory of
Elingham in the said County of *Norfolk*, the said Testator
 gave and devised the same to *William Vachell* of *Hinxton*,
 in the County of *Cambridge*, Esquire, his Heirs and Assigns
 for ever, in Trust, for the Master of *Magdalen College* in
 the said University of *Cambridge* for the Time being, and
 to be held by the said Master for the Time being for ever,
 on account of the small Value of that Headship, and in
 order to increase the Value thereof; and in the said Will
 now in recital was contained a Proviso, that the said
Richard Aldworth Griffin Lord *Braybrooke*, and his First
 and other Sons, as and when he and they by virtue of the
 said Will should respectively become beneficially entitled
 to the Possession, or to the Rents and Profits of his the
 said Testator's Estates therein before by him devised to
 the said *Richard Aldworth Griffin* Lord *Braybrooke*, or any
 Part thereof, or should be entitled to the Peerage of the
 Barony of *Braybrooke* in Possession, should take the Sur-
 name of *Griffin* only, and should bear the Arms of *Griffin*
 with his and their own Arms: And whereas the said
 testator *John Griffin* Lord *Howard de Walden and Bray-*
brooke died in or about the Month of *May* in the Year One
 thousand seven hundred and ninety-seven, without having
 revoked or altered his said Will as to the Devises aforesaid,
 and without leaving any Issue: And whereas upon the
 Decease of the said *John Griffin* Lord *Howard de Walden*
and Braybrooke, the said *Richard Aldworth Neville* (now
Richard Aldworth Griffin Lord *Braybrooke*) became entitled
 to the said Barony of *Braybrooke* in Possession, and there-

Death of
 Lord
 Howard de
 Walden
 and Bray-
 brooke, in
 May 1797.

A. D. 1814. upon the said *Richard Aldworth Griffin* Lord *Braybrooke*, in conformity with the Direction in that Behalf contained in the said in Part recited Will, took upon himself and has since used the Surname of *Griffin* only, and hath used and borne the Arms of *Griffin* in the First Quarter with his own Arms, and hath signed the Name of *Griffin* before the Title of *Braybrooke*; and the said *Richard Aldworth Griffin* Lord *Braybrooke* did within the first Session of Parliament next after he became so entitled as aforesaid, apply for and obtain an Act of Parliament to enable and authorize him to take and use the said Surname and Arms of *Griffin*: And whereas the said *Katherine Lady Howard and Braybrooke* died in or about the Month of *August* in the Year One thousand eight hundred and seven: And whereas the said *Richard Aldworth Griffin* Lord *Braybrooke*, in or about the Month of *June* in the Year One thousand seven hundred and eighty, intermarried with *Catherine Grenville* Spinster, the youngest Daughter of the Right Honourable *George Grenville*: And whereas the said *Henry Neville* died on or about the Twenty-first Day of *August* One thousand eight hundred and nine a Bachelor: And whereas the said *Richard Neville* and *George Neville* are respectively Bachelors, and are the only Issue Male of the said *Richard Aldworth Griffin* Lord *Braybrooke*: And whereas the said *William Vachell*, the Trustee named in the said Will of the said *John Griffin* Lord *Howard de Walden* and Lord *Braybrooke*, died in or about the Month of *March* in the Year One thousand eight hundred and seven, whereupon the Trust Estate of and in the same Rectory of *Elingham* in the said County of *Norfolk*, and so devised to him by the said Will as aforesaid, descended upon and is now vested in *Richard Vachell* Esquire, his eldest Son and Heir at Law: And whereas the said *George Neville* is the present Master of *Magdalen College* aforesaid in the said University of *Cambridge*: And whereas it is desirable, in order to confirm and secure the carrying into Effect the Intention of the said Testator *John Griffin* Lord *Howard de Walden*

and Lord *Braybrooke*, and to prevent the same being A.D. 1814.
frustrated, that the Trust Estate of and in the said Rectory
of *Elingham*, and now vested in the said *Richard Vachell*
as aforesaid, should be divested out of him, and that the
said Rectory should be for ever hereafter inseparably
annexed and united to the said Office of Mastership of
Magdalen College aforesaid, in order to increase the Value
thereof, and for the better Support and Maintenance of such
Mastership ; but as such Purposes cannot be effected with-
out the Aid and Authority of Parliament : Wherefore Your
Majesty's most dutiful and loyal Subjects the said *Richard*
Aldworth Griffin Lord *Braybrooke*, *Richard Neville*, *George*
Neville, and *Richard Vachell*, do most humbly beseech
Your Majesty that it may be enacted ; and be it enacted
by the King's most Excellent Majesty, by and with the
Advice and Consent of the Lords Spiritual and Temporal,
and Commons, in this present Parliament assembled, and
by the Authority of the same, That the said Rectory of
Elingham, in the said county of *Norfolk*, and all Members,
Tithes, Lands, Tenements, Hereditaments, Profits, and
Emoluments whatsoever to the same belonging, or in any-
wise appertaining, or therewith used and enjoyed, shall be
united and for ever hereafter inseparably annexed to the
said Mastership of *Magdalen College*, in the said University
of *Cambridge*, and shall be held and enjoyed by the said
George Neville, and his Successors, Masters of the said
College, during such Time as they shall respectively remain
Masters thereof, and no longer, and in as full and ample
Manner to all Intents and Purposes as if they were duly
nominated, admitted, instituted, and inducted to the said
Rectory ; and the said *George Neville*, and his Successors
for the Time being, Masters of the said College, during
such Time as they shall continue Masters of the said
College, shall by virtue of the Office of Master of the said
College for ever hereafter enjoy the said Rectory without
any Presentation, Admission, Institution, or Induction, or
any other Act or Title whatsoever, and shall be and are

Rectory of
Elingham
annexed to
the Master-
ship of
Magdalen
College
Cam-
bridge.

A. D. 1814. hereby declared to be from and immediately after his and their Admission to and during his and their Continuance in the said Office of Master, full and perfect Incumbents of the Rectory aforesaid to all Intents and Purposes whatsoever; which Incumbency nevertheless shall not make void any other Benefice or Benefices which the said *George Neville* is at present or hereafter may be legally possessed of, or which any future Master of the said College shall be legally possessed of at the Time of his being appointed Master of the said College; nor shall the same become vacant by the Acceptance of any other Benefice by the Master of the said College for the Time being, it being the true Intent and Meaning of this Act that the said Rectory shall consist and be held and enjoyed by every such Master, together with any other Ecclesiastical Benefice, without any Licence or Dispensation for that End to be granted or obtained.

If Master-ship become void, and another Master not appointed in Six Months, Presentation to lapse to Bishop.

II. Provided always, and be it enacted, That in case of the Death or Resignation of any such Master, and another Master shall not be appointed who shall be in Priest's Orders, and otherwise capable of holding such Living, then and in every such Case the Right of Presentation to the said Rectory of *Elingham* shall, after the Expiration of Six Calendar Months, lapse to the Bishop of the Diocese for the Time being, in such and the like Manner as the Right of Presentation, Admission, Institution, and Induction to the said Rectory, would by Law lapse in case this Act had not been made.

If Master-ship become vacant, the Patronage of *Elingham Rectory* shall also become vacant, and next Master shall be Rector.

III. Provided always, and be it further enacted, That as often as it shall happen that the said Office of Master of the said College shall become vacant, or void by Death, Resignation, or otherwise, the said Advowson and Patronage of the Rectory of *Elingham* aforesaid shall at the same Time become vacant and void, and the Person that shall be legally nominated, admitted, or constituted Master of the said College, shall by virtue of such Office have and enjoy the said Rectory for so long Time as he shall continue in

such Office, and no longer: Provided always, that every such Master shall celebrate Divine Service, and perform all other Parochial Duties relating to the Cure of Souls within the said Rectory, which any other Rector of the said Rectory has heretofore done or performed, and were by Law obliged to do and perform, by himself or a sufficient Curate duly appointed and resident within the said Rectory.

A. D. 1814.
 Duties of Rectory to be performed, as heretofore.

IV. Provided always, and be it enacted, That the Curate so from Time to Time to be appointed by the Master of the said College, shall be subject and liable to the same Rules, Regulations, Restrictions, and Provisions, as if the Master of the said College had been presented, admitted, instituted, and inducted into the said Rectory of *Elingham*.

The Curate subject to same Rules, &c. as if Master had been presented, &c.

V. Provided always, and be it further enacted, That neither this Act, nor any Thing herein contained, shall excuse or be construed to excuse any Master of the said College from the Payment of the First Fruits and Tenths due and payable in respect to the said Rectory, or from the Payment of all Dues, of what Kind soever, to the Bishop or other Ordinary, who before the passing of this Act had lawful Right to claim the same, any Thing in this Act to the contrary in anywise notwithstanding.

Right of the Church preserved.

VI. Provided always, and be it further enacted, That nothing in this Act contained shall extend or anywise be construed to extend so as to defeat, affect, alter or prejudice the Estate, Right, Title, and Interest of the said *Richard Aldworth Griffin* Lord *Braybrooke*, or any other Person or Persons who shall for the Time being be or become Patrons of the said Mastership of *Magdalen College*, under or by virtue of the Limitations contained in the said Will of the said Testator *John Griffin* Lord *Howard de Walden* and Lord *Braybrooke*, deceased, of, in, or to the Patronage, Donation and Free Disposition of the said Mastership of *Magdalen College* aforesaid, but that the same shall be held and enjoyed, and remain and be in such and the same Manner in all Respects as if this Act had not been made.

Right of Lord Braybrooke as to the Patronage of the Mastership preserved.

VII. Saving always to the King's most Excellent

General Saving.

A. D. 1814. Majesty, His Heirs and Successors, and to all and every other Person and Persons, Bodies Politic, Corporate and Collegiate, his, her, and their Heirs, Successors, Executors, and Administrators, (other than and except the said *Richard Vachell*, his Heirs and Assigns, and the said Master of *Magdalen College* aforesaid, and his Successors, and the said *Richard Aldworth Griffin* Lord *Braybrooke*, *Richard Neville* and *George Neville*, and their respective Issue Male, and all and every other Person and Persons claiming or to claim any Estate, Right, Title, or Interest in, to, or out of the said Rectory, or any Part thereof, under or by virtue of the said Will of the said *John Griffin* Lord *Howard de Walden* and Lord *Braybrooke* deceased, so far as their several and respective Estates, Rights, and Interests, are intended to be barred and affected by this Act), All such Estate, Right, Title, Interest, Claim and Demand whatsoever, of, in, to, or out of the said Rectory, and every Part thereof, as they, every, or any of them, had before the passing of this Act, or could or might have held or enjoyed in case this Act had not been made.

Evidence
 Clause.

VIII. And be it further enacted, That this Act shall be printed by the several Printers to the King's most Excellent Majesty, duly authorized to print the Statutes of the United Kingdom; and a Copy thereof, so printed by any of them, shall be admitted as Evidence thereof, by all Judges, Justices, and others,

55^o GEO. III. CAP. CXLVII.

A. D. 1815. An Act for enabling Spiritual Persons to exchange the Parsonage or Glebe Houses or Glebe Lands, belonging to their Benefices, for others of greater Value, or more conveniently situated for their Residence and Occupation; and for annexing such Houses and Lands, so taken in Exchange, to such Benefices as Parsonage or Glebe Houses and

Glebe Lands, and for purchasing and annexing A. D. 1815.
Lands to become Glebe in certain Cases, and for
other Purposes. [6th July 1815.]

[This Act, among other things, enables Incumbents in
some cases to borrow money in order to purchase
additional glebe land, and to mortgage their tithes, &c.
for twenty-five years as a security.]

IX. And be it further enacted, That it shall and may be Colleges
may lend
any Sum
with or
without
Interest.
lawful for any College or Hall within the Universities of
Oxford or *Cambridge*, or for any other Corporate Bodies,
being owners of the Patronage of Ecclesiastical Livings or
Benefices, to advance and lend any Sum or Sums of Money
of which they have the Power to dispose, for the Conveni-
ence of the Parson, Vicar, or other Incumbent for the Time
being of any Benefice, Perpetual Curacy, or Parochial
Chapelry within the Patronage of such College or Hall,
upon Mortgage as herein-before directed, either upon
Interest or without any interest.¹

55^o GEO. III. CAP. CLXXXIV.

An Act for repealing the Stamp Duties on Deeds,
Law Proceedings, and other written or printed
Instruments, and the Duties on Fire Insurances,
and on Legacies and Successions to Personal
Estate upon Intestacies, now payable in *Great
Britain*; and for granting other Duties in lieu
thereof.² [11th July 1815.]

¹ For powers of lending for other like purposes see (*supra*) 17 Geo. 3. c. 53.
s. 13, and (*infra*) 1 & 2 Vict. c. 23. s. 5, 1 & 2 Vict. c. 106. s. 73, and
28 & 29 Vict. c. 69. s. 3.

² All duties on matriculation, or on admission to any degree, or on the
register or entry thereof were repealed, as to *Oxford* by 18 & 19 Vict. c. 36
(*infra*), and as to *Cambridge* by 21 & 22 Vict. c. 11 (*infra*), but not the duties
imposed by Part I of the Schedule to this Act on Testimonials or Certificates
of admission to degrees. The last-mentioned duties were, however, repealed
in 1870 by 33 & 34 Vict. c. 99.

The Stamp Act of the same year (33 & 34 Vict. c. 97) imposed no duty in
relation to degrees.

A. D. 1815. [Section 1 repeals *inter alia* the duties imposed by 48 Geo. 3. c. 149 (*supra*).

Section 2 directs the Duties mentioned and described in the Schedule to be levied from and after the 31st of August, 1815 (except those on fire insurances, which are to commence on a later day).]

SCHEDULE.

PART THE FIRST:

Containing the Duties on ADMISSIONS to Offices, &c. ; on Instruments of CONVEYANCE, CONTRACT, OBLIGATION, and SECURITY for Money ; on DEEDS in general ; and on other INSTRUMENTS, Matters and Things, not falling under either of the following Heads.

PART THE FIRST.	Duty.		
	£	s.	d.
ADMISSION or Matriculation of any Person in either of the Universities in <i>England</i>	1	0	0
ADMISSION of any Person to the Degree of a Batchelor of Arts, in either of the Universities in <i>England</i> , for the Register or Entry thereof, If conferred in the ordinary Course of the University	3	0	0
If conferred by special Grace, or Royal Mandate, or by reason of Nobility, or otherwise out of the ordinary Course	5	0	0
ADMISSION of any Person to any other Degree in either of the Universities in <i>England</i> , for the Register or Entry thereof, If conferred in the ordinary Course of the University	6	0	0
If conferred by special Grace, or Royal Mandate, or by reason of Nobility, or otherwise, out of the ordinary Course, conferring any Right of Election in such University	10	0	0
CERTIFICATE of Admission to Degrees in the Universities.—See TESTIMONIAL.			

SCHEDULE. PART THE FIRST (*continued*).

PART THE FIRST.	Duty.	A. D. 1815.
MATRICULATION in the Universities.—See AD- MISSION.	£ s. d.	
REGISTER, or Entry of Degrees taken in the Uni- versities of Great Britain.—See ADMISSION.		
TESTIMONIAL or Certificate of the Admission of any Person, to the Degree of a Bachelor of Arts, in either of the Universities in <i>England</i>	3 0 0	
TESTIMONIAL or Certificate of the Admission of any Person, to any other Degree, in either of the said Universities.	10 0 0	

SCHEDULE;—PART THE THIRD.

Containing the Duties on PROBATES of Wills and Letters of ADMINISTRATION; on CONFIRMATIONS of Testaments, testamentary and dative; on INVENTORIES to be exhibited in the Commissary Courts in *Scotland*; and on LEGACIES out of Real or Personal, Heritable or Moveable Estate; and on SUCCESSIONS to Personal or Moveable Estates upon Intestacy.

PART THE THIRD.	Duty.
LEGACIES and SUCCESSIONS to Personal or Moveable Estate upon Intestacy.	£ s. d.
<i>Exemptions.</i>	
<i>And all Legacies which were exempted from Duty by the Act passed in the 39th Year of His Majesty's Reign, c. 73,¹ for exempting certain specific Legacies given to Bodies Corporate, or other public Bodies, from the Payment of Duty.</i>	

¹ *Supra.*

55° GEO. III. CAP. CXCIV.

A. D. 1815. An Act for better regulating the Practice of Apothecaries throughout *England* and *Wales*.

[12th July 1815.]

[The Act requires all persons practising as apothecaries to be qualified by passing an examination. The Apothecaries Company are to appoint the examiners, and are given powers of visiting, inspecting drugs, and enforcing penalties.]

Saving
Rights.

XXIX. Provided always, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend to lessen, prejudice, or defeat, or in anywise to interfere with any of the Rights, Authorities, Privileges, and Immunities heretofore vested in and exercised and enjoyed by either of the Two Universities of *Oxford* or *Cambridge*, the Royal College of Physicians, the Royal College of Surgeons, or the said Society of Apothecaries respectively, other than and except such as shall or may have been altered, varied, or amended in and by this Act, or of any Person or Persons practising as an Apothecary previously to the First day of *August* One thousand eight hundred and fifteen; but the said Universities, Royal Colleges, and the said Society, and all such Persons or Person shall have, use, exercise, and enjoy all such Rights, Authorities, Privileges, and Immunities, save and except as aforesaid, in as full, ample, and beneficial a Manner, to all Intents and Purposes, as they might have done before the passing of this Act, and in case the same had never been passed.

55° GEO. III. Cap. xlix.

An Act for more effectually repairing the Road from *Jesus Lane*, in the Town of *Cambridge*, to *Newmarket Heath*, in the County of *Cambridge*.

[12th May 1815.]

[Section 1 repeals 18 Geo. 2. c. 23 (*supra*) so far as it A. D. 1815.
concerns the Road 'from the West End of *Jesus Lane*, in the Town of *Cambridge*, to the first Rubbing House on *Newmarket Heath*, in the County of *Cambridge*'.

Section 2 constitutes 'the Representatives in Parliament for the County of *Cambridge*, the Vice-Chancellor and Masters or Heads of the several Colleges and Halls in the University of *Cambridge*, the Representatives in Parliament for the Borough of *Cambridge*, the Mayor, Recorder, and Aldermen of the said Borough' and other named persons trustees of the said Road for executing the Act.

Section 6 imposes a property qualification on the trustees.
Section 80 declares the Act to be a public Act.

Section 81 provides that the Act shall commence on the second Monday after the passing thereof and continue for twenty-one years and from thence to the end of the then next Session of Parliament.^{1]}

55^o GEO. III. *Cap.* xciv.

An Act for taking down and rebuilding the whole or Part of a certain Bridge across the River *Isis*, in or near the City of *Oxford*, called *Folly Bridge* otherwise *Friar's Bridge*; and for widening the same Bridge, and improving the Approaches thereto. [28th June 1815.]

WHEREAS the Bridge over or across the River *Thames* or *Isis*, at or near to the South End of the City of *Oxford*, in the Parish of *Saint Aldates*, in the County of *Berks*, called *Folly Bridge*, is very ancient and

¹ This Act was continued by the Annual Turnpike Acts Continuance Acts till the 1st of November, 1872, the date fixed by 34 & 35 Vict. c. 115, and confirmed by 35 & 36 Vict. c. 85 for its expiration.

A. D. 1815. greatly decayed, and is also very narrow and inconvenient, and does not afford safe or proper Accommodation for the great Increase of Passage of Carriages of all Sorts over the same, arising from the Improvement of the Roads leading to the said Bridge: And whereas it would therefore be greatly for the Benefit and Advantage of the Inhabitants of the said City, and the Neighbourhood thereof, and of great Public Utility, if the said present Bridge called *Folly Bridge*, were wholly or in Part taken down, and a wider and more convenient and substantial Bridge erected instead thereof, on or near to the Scite of the present Bridge, and if the Approaches thereto were widened, opened, and rendered commodious: And whereas the Mayor, Bailiffs, and Commonalty of the said City of *Oxford* are, and from Time immemorial have been liable to maintain, support, and keep in Repair the said Bridge; but the Funds of the said Corporation are very inadequate to the re-building, widening, and improving the said Bridge, and the Approaches thereto; and the beneficial Purposes aforesaid therefore cannot be effected without the Aid and Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the following Magistrates, Officers, and Members of the University of *Oxford*, and of the Colleges and Halls therein, and of the City of *Oxford*, and of the Corporation of the said City for the Time being respectively, that is to say, the Vicechancellor, or Pro-Vicechancellor of the said University, his Assessor in the University Court, all Heads or Governors of Colleges and Halls in the said University, the Canons of the Cathedral Church of *Christ*, the several Royal and other Professors of and within the said University, the Proctors of the University, the Public Orator, the *Bodleian* and *Radclivian* Librarians and Registrar of the said University; the Mayor, Recorder, Aldermen, Assistants, Bailiffs, Town Clerk, and Solicitor of the City of *Oxford* for the Time

Trustees.

being ; together with the respective Rectors, Vicars, or A. D. 1815. other Incumbents for the Time being, of the several Parish Churches and Chapels of *St. Aldates, Wytham, Cumner, North Hinksey, South Hinksey, Kennington, Wootton, Sunningwell*, and *Radley*, in the County of *Berks*, and of *St. Nicholas* and *St. Helens* in the Town of *Abingdon* ; [and other named persons] and their Successors, to be elected in Manner herein-after mentioned, shall be, and they are hereby declared to be Trustees for effecting the Purposes afore-said ; and for otherwise carrying this Act into full and complete Execution.

[Sections 2-14 contain provisions for the election of additional and new trustees, their qualification, powers, meetings and procedure, and the appointment of officers. Section 5 prescribes a property qualification for trustees 'save and except the said herein-before mentioned Magistrates, Officers and Members of the University of *Oxford*, and of the Colleges and Halls therein, and of the City of *Oxford*, and of the Corporation of the said City, and the said Rectors, Vicars, and Incumbents for the Time being respectively' ; and prescribes an oath to be taken by the Trustees.

Section 15 gives power to take down the bridge and erect a new one, and during the building to set up a Ferry or erect a temporary bridge, and among other special provisions empowers the trustees to take down the dwelling houses and tenements in the occupation of Sutton Thomas Wood, John Taylor, and Richard Hooper at the north end of the bridge and the dwelling house in the occupation of Stephen Davies at the south end of the bridge, making satisfaction to the parties interested therein, and to take and purchase houses tenements lands and grounds within two hundred yards above the bridge or one hundred yards in any other direction.]

XVI. Provided always, and be it further enacted, That nothing herein contained shall authorize or empower the Certain Premises not to be

A. D. 1815. said Trustees, or any other Person or Persons, to purchase, used with- take, pull down, use, or apply, to or for any of the out Con- Purposes of this Act, the Building, Yard, and Premises sent. wherein the Chancellor, Masters, and Scholars of the University of *Oxford*, have lately established a Public Charity School, or any Part thereof, without the consent of the said Chancellor, Masters, and Scholars, or their Successors, testified under their Common Seal ; nor to take, purchase, or use, or apply, either of the Wharfs belonging to the Commissioners of Sewers, or any Part or Parts thereof, for any of the Purposes aforesaid, without the Consent of the said Commissioners of Sewers, or the major Part of them, at a Meeting for that Purpose assembled ; nor to take, purchase, use, or apply to or for any of the Purposes of this Act, any Part or Parts of the Meadow or Walk, known by the Name of *Christ Church* Meadow or Walk, without the previous Consent in Writing of the Dean and Chapter of the Cathedral Church of *Christ* in *Oxford*, nor any Private Yard or Garden, (save and except only any Yards or Gardens belonging to the said several Dwelling Houses and Tenements in the respective Occupations of *Sutton Thomas Wood*, *John Taylor*, *Richard Hooper*, and *Stephen Davis*, or any or either of them), without the previous Consent in writing of the Owner or Occupier, or Owners or Occupiers thereof, any Thing in this Act contained to the contrary thereof, in anywise notwithstanding.

[Sections 17 and 18 empower the trustees to contract for performing the works authorized and to sue or compound for breach of Contracts.

Section 19 vests the bridge and its approaches until completion in the trustees.

Sections 20–35 relate to the bridge tolls.

Section 36 authorizes the trustees to raise money by mortgage of the tolls not exceeding £16,500 in the whole.

Section 37 requires them to apply the tolls and money

borrowed in paying the costs of obtaining this Act, and A. D. 1815.
in executing the works authorized thereby.

Sections 38-47 empower them to purchase lands and provide for the assessing of compensation.

Section 48 empowers them to sell land not required.

Sections 49 and 50 empower them to take materials for the works paying compensation.

Sections 51 and 52 impose penalties on persons obstructing toll collectors, and improperly taking away materials.

Sections 53-55 deal with damage to the bridge by malicious or negligent acts.

Section 56 vests the Bridge when completed in the Mayor Bailiffs and Commonalty of the City, who are thereafter to maintain it.

Sections 57 and 58 require that after the completion of the bridge the tolls shall be applied in payment of the expenses of collection and the interest on money borrowed, and the balance in repayment of the principal sums borrowed.

Section 59 imposes penalties for nuisances of various kinds.

Section 60 provides that the trustees may sue and be sued in their Clerk's name.

Section 61 orders annual accounts to be filed with the Clerk of the Peace for Berks and the Town Clerk of Oxford.

Sections 62-69 deal with legal proceedings for penalties. Section 70 declares the Act to be a public Act.]

LXXI. And be it further enacted, That this Act shall continue and be in full Force and Effect, and the Tolls hereby created, or made payable, shall be payable and have Continuance for the Term of Twenty-one Years, and from thence to the End of the then next Session of Parliament, unless the said Sum of Sixteen thousand five hundred Pounds, or so much thereof as shall be borrowed and taken up at Interest, and the Interest thereof, and the Costs and

Period of
Continu-
ance of
Tolls.

A. D. 1815. Charges of borrowing the same, shall be sooner paid off and discharged.¹

56^o GEO. III. CAP. XCV.

A. D. 1816. An Act to authorize such Person as His Majesty shall appoint to transfer a certain Sum in Three Pounds *per Cent.* Reduced Annuities, now standing in the Name of the dissolved College of *Hertford*, in the University of *Oxford*; and also to receive Dividends due upon such Annuities.

[26th June 1816.]

WHEREAS by the Laws in being, relative to the Transfer of Annuities transferrable at the Bank of *England*, Books are directed to be kept by the Accountant General of the Governor and Company of the Bank of *England* for the Time being, wherein all Assignments or Transfers of such Annuities shall be entered and registered, and such Entries are to be conceived in proper Words for that Purpose, and to be signed by the Parties making such Transfers, or, if such Party be absent, by his or their respective Attorney or Attornies thereunto lawfully authorized, in Writing under his or their Hand and Seal, or Hands and Seals, to be attested by Two or more credible Witnesses; and it is also declared, that no other Method of assigning and transferring such Annuities shall be good or available in Law: And whereas by an Inquisition taken at the City of *Oxford*, on the Fourth Day of *May* last, by virtue of a Commission under the Great Seal of *Great Britain*, it was (amongst other Things) found that *Hertford College*, in the University of *Oxford*, on the Twenty-eighth Day of *June*, in the Year One thousand

¹ By 4 Will. 4. c. xxii (*infra*) this Act was amended and by s. 31 was continued for the further term of twenty-one years from the passing of the amending Act (22nd of May, 1834), and from thence to the end of the then next Session of Parliament, unless the moneys borrowed and the interest thereof should be sooner paid off and discharged.

eight hundred and five, became and was dissolved, and that the said dissolved College at the Time of its Dissolution was possessed of One thousand Pounds Capital Stock in the Three *per Cent.* Reduced Bank Annuities, standing in the Names of the Principal and Fellows of *Hertford College, Oxford*, in the Books of the Governor and Company of the Bank of *England*; and that since the Dissolution of the said dissolved College the Dividends on the said Sum of One thousand Pounds Three *per Cent.* Reduced Bank Annuities had been, and still were in arrear and unpaid; and that the said Stocks, Funds, Monies, and Securities had escheated and devolved, and did then belong to His Majesty, by virtue of His Prerogative Royal, and the same were, by the Commissioners in the said Commission named, seized into the Hands of His Majesty; but by reason of the Laws aforesaid there are no Means of making a Transfer of such Annuities, or of receiving the Arrears of Dividends due thereon, without the Authority of Parliament; be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That it shall and may be lawful for His Majesty, his Heirs and Successors, by Warrant under His or their Royal Sign Manual, to appoint and empower any Person or Persons to assign and transfer the said Sum of One thousand Pounds Capital Stock of Three *per Cent.* Reduced Annuities, into the Name of any other Person or Persons, and also to receive all such Dividends as are or shall be due and in arrear upon the said Capital Stock, and to give proper Receipts and Discharges for the same; and such Person or Persons so appointed and empowered as aforesaid may and shall, and he and they is and are hereby authorized to assign and transfer the said Sum of One thousand Pounds Capital Stock, now standing in the Books of the Governor and Company of the Bank of *England*, from the Name of the Principal and Fellows of *Hertford College, Oxford*, into the Name of any other

A. D. 1816.

His Majesty may empower any Person to transfer the 1,000l. 3 per Cent. Reduced Annuities now standing in the name of the dissolved College of Hertford, into the Names of any other Persons, and receive the Dividends.

A. D. 1816. Person or Persons; and also to receive and give proper Receipts and Discharges for all such Dividends upon the said Capital Stock, as are or shall be due and in arrear; any Law, Usage, or Custom, to the contrary notwithstanding.

Bank indemnified.

II. And be it further enacted, That the said Governor and Company of the Bank of *England*, and their Successors, shall be, and they are hereby held harmless and indemnified from and against all Claims and Demands of or by any Person or Persons, Body or Bodies Politic or Corporate, for or by reason or in consequence of the Transfer of the said Sum of One thousand Pounds Three *per Cent.* Reduced Annuities, herein-before authorized and directed to be transferred, or in any Manner respecting the same, or for or by reason or in consequence of the Payment by the said Governor and Company of the Bank of *England*, of the Dividends herein-before directed to be received; and the said Governor and Company of the Bank of *England* shall not be required to see to the Application of the said Dividends, nor be in any Manner responsible for the Misapplication or Nonapplication thereof.

56^o GEO. III. CAP. CXXXVI.

An Act to enable His Majesty to grant certain Lands, Tenements, and Hereditaments, escheated and devolved to His Majesty by the Dissolution of *Hertford College*, in the University of *Oxford*, and the Site of the said College and Buildings thereon, to the Chancellor, Masters and Scholars of the said University, in Trust for the Principal and other Members of *Magdalen Hall*, for the Purpose of their removing to such Site; and to enable the said Chancellor, Masters and Scholars of the said University, and the President and

Scholars of *Saint Mary Magdalen College*, to do all necessary Acts for such Removal.¹ A. D. 1816.

[1st July 1816.]

WHEREAS His late Majesty King *George* the Second was graciously pleased by Letters Patent, under the Great Seal of *Great Britain*, bearing Date at *Westminster* the Fifth Day of *September*, in the Fourteenth Year of His said Majesty's Reign, to will and grant, that within *Hart Hall* in the University of *Oxford*, and within the Bounds, Circuits, and Precincts of the same in *Oxford*, and within the same University of *Oxford* and the Liberties and Precincts of the same, there should be from thenceforth for ever one Perpetual College for Students of Divinity, the Civil and Canon Law, Physic and other good Arts and Languages; and that the same College, consisting of a Principal, Four Senior Fellows or Tutors, and Eight Junior Fellows or Assistants, might be for ever called *Hertford College* in the University of *Oxford*; and further to will and grant, that the Principal and Fellows of the College and their Successors for ever, should and might be one Body Corporate and Politic by the Name of the "Principal and Fellows of *Hertford College* in the University of *Oxford*:" And whereas the President and Scholars of *Saint Mary Magdalen College* in the said University of *Oxford*, are seised in Fee of a certain Piece of Land, constituting Part of the Site of the said College called *Hertford College*, of which they granted a Lease to the Principal and Fellows of the same College, bearing Date the Sixth Day of *December* in the Year One thousand seven hundred and ninety-six, for the Term of Forty Years from the Date thereof, under a reserved annual Rent of Three Pounds Fifteen Shillings and One Penny: And whereas the Chancellor, Masters, and Scholars of the said University, are seised in Fee of certain Pieces of Land, constituting other

Charter of
Incorporation of
Hertford
College
recited.

¹ By the Hertford College Act, 1874 (37 & 38 Vict. c. 55) (*infra*) Magdalen Hall was dissolved, and all its property transferred to the new Hertford College incorporated by that Act.

A. D. 1816. Part of the Site of the said College called *Hertford College*, of which they granted a Lease, bearing Date the Twenty-seventh Day of *February* in the Year One thousand seven hundred and ninety-eight, to the Principal and Fellows of *Hertford College*, to hold to them and their Successors for the Term of Forty Years from the Feast of the Annunciation of the Blessed Virgin *Mary*, in the Year One thousand seven hundred and ninety-seven, under the several yearly Rents of Ten Shillings and One Shilling and Eightpence: And whereas the Rector and Fellows of *Exeter College* in the said University are entitled to an annual Rent Charge of One Pound Thirteen Shillings and Fourpence, issuing and payable from and out of some Part or Parts of the Site of the said College called *Hertford College*: And whereas Two several Commissions of Escheat under the Great Seal of *Great Britain*, bearing Date at *Westminster* the Twenty-ninth Day of *April* in the Fifty-sixth Year of His present Majesty's Reign, lately issued, directed to certain Commissioners therein named, authorizing and empowering them or any Three or more of them to enquire, amongst other Matters and Things, whether at any Time and when the said College called *Hertford College* had become and was dissolved, and whether the said College before and at the Time of the Dissolution thereof was seised in Fee Simple of or of any other and what Estate, or possessed of any and what Term or Terms for Years of and in divers and what Messuages, Lands, Tenements, and Hereditaments, situate in the several Counties of *Oxford* and *Berks*, and whether by reason of the Dissolution thereof the same Hereditaments, Term and Terms for Years, had escheated and devolved to His Majesty: And whereas by an Inquisition indented and taken at the City of *Oxford* in the County of *Oxford* on the Fourth Day of *May* last, before Three of the Commissioners in the said Commissions named, upon the Oaths of Twelve good and lawful Men of the said County of *Oxford* in the said Inquisition named, it was found that the said College called *Hertford College* in the University of

Oxford, on the Twenty-eighth Day of *June* in the Year A. D. 1816. One thousand eight hundred and five, became and was and is dissolved; and that the said dissolved College was at the Time of the Dissolution thereof seised in its Demesne as of Fee of and in a certain Piece of Land, containing by Admeasurement One thousand nine hundred and eighty-two square Yards (a little more or less); bounded on the West Side thereof partly by a certain Street called *Cat Street*, and partly by the Land of one *James Stone* and one Widow *Gillett*; and on the North Side thereof partly by a certain Street leading from a Gate, anciently called *Smith's Gate*, to *New College*, and partly by the Land herein-before and herein-after mentioned, of the said Chancellor, Masters, and Scholars of the said University, and of the said President and Scholars of the said College of *Saint Mary Magdalen* in the said University; and on the East Side thereof partly by *New College Lane*, and partly by the Stables of *New College*; and on the South Side thereof by the Land and Buildings of *All Souls College*; together with all Messuages, Erections, and Buildings on the same Piece of Land erected, standing, and being, situate in the Parish of *Saint Peter in the East*, and the Parish of *Saint Mary the Virgin*, in the City and County of *Oxford*; one Parcel of which said first-mentioned Piece of Land was found to be subject to the said Rent of One Pound Thirteen Shillings and Four-pence payable yearly to the Rector and Fellows of *Exeter College*, and a certain other Parcel of the said first mentioned Piece of Land to be subject to a certain Rent of Four-pence payable yearly to the Dean and Chapter of the Cathedral Church of *Christ* in *Oxford*, of the Foundation of King *Henry* the Eighth: And it was further found, that the said first-mentioned Piece of Land was holden by the said dissolved College, at the Time of its Dissolution, of His Majesty, in free and common Socage in right of His Royal Crown, but not subject to any Rents or Services in respect thereof, except Fealty: And it was further found, that the said dissolved College was at the Time of its Dissolution possessed of the said Pieces of

A. D. 1816. Land, whereof the said Chancellor, Masters, and Scholars, and the said President and Scholars respectively are so seised as aforesaid for the Residue of the several Terms before mentioned to have been granted by them respectively, together with all Messuages, Erections, and Buildings on the same Pieces of Land standing, erected, and being: And it was further found, that the said Messuages, Lands, Tenements, and Hereditaments, and Terms for Years, had escheated and devolved, and did then belong to His Majesty by virtue of His Prerogative Royal; and the said Commissioners had, in obedience to the said Commission, seised the same into the Hands of His Majesty: And by an Inquisition indented and taken at *Grandpound*, in the Parish of *Saint Aldate*, in the County of *Berks*, on the said Fourth Day of *May*, before Three of the Commissioners in the said Commissions named, upon the Oaths of Twelve good and lawful Men of the said County of *Berks*, in the said last Inquisition named it was found, that the said College called *Hertford College*, in the University of *Oxford*, on the said Twenty-eighth Day of *June* in the Year One thousand eight hundred and five, became and was and is dissolved; and that the said dissolved College was at the Time of the Dissolution thereof seised in its Demesne as of Fee of and in Fourteen Acres and Three Rods by Estimation of Arable Land, and One Acre and a Half of Meadow Ground, more or less, lying dispersed in the Common Fields and Meadows of *North Morton* in the said County of *Berks*, with the Appurtenances; and that the said Lands and Hereditaments were at the Time of the Dissolution of the said College held of His Majesty by the said College in free and common Socage, in right of His Royal Crown, but not subject to any Rents or Services in respect thereof except Fealty, and had become escheated to His Majesty by virtue of His Prerogative Royal; and the said Commissioners had in obedience to the said Commission seised the same into the Hands of His Majesty: And whereas the Buildings of the said dissolved College having since the said Dissolution thereof

for the most Part been unoccupied and neglected, the same A. D. 1816.
have gone gradually into Decay, and are in a very ruinous
and dilapidated State, and there is no Fund applicable to
putting them into Repair : And whereas *Magdalen Hall* is
contiguous to *Saint Mary Magdalen College*, and there
is an ancient School for the Education of Sixteen Choristers
of the same College, which forms Part of the Buildings of
the said Hall ; and the Freehold of the Site of the said
Hall and School is vested in the said President and Scholars
of the said College : And whereas the said President and
Scholars are about to improve and considerably enlarge
the Buildings of *Magdalen College*, for which Purpose they
have caused Plans to be drawn, which cannot be effectually
carried into Execution unless the said Hall and School be
taken down and removed, in which Event they intend to
erect or provide another School equally convenient to the
College : And whereas the Removal of the said Hall and
School being necessary to the Completion of the intended
Improvements at *Magdalen College*, and if carried into
Effect being likely to conduce to the general Improvement
and Ornament of the University, the said President and
Scholars, with the Concurrence and Approbation of the
Principal of *Magdalen Hall*, and with the Consent of the
Right Honourable Lord *Grenville*, Chancellor of the said
University of *Oxford*, as Visitor and Patron of the said
Hall, on the Twenty-fourth Day of *May* in the Year One
thousand eight hundred and fifteen, proposed to the Chan-
cellor, Masters, and Scholars of the University, in Convoca-
tion assembled, to transfer the Establishment of the said
Hall to the Site of the said dissolved College of *Hertford*,
the said President and Scholars engaging to put the Whole
of the Buildings thereof into a State of complete Repair, to
relinquish for the Use of the Principal and other Members
of *Magdalen Hall*, all the Right and Title of the said Pre-
sident and Scholars to that Part of *Hertford College* so as
aforesaid held by Lease under them, and to be at the sole
Expence of carrying the said Arrangement into Effect ;
which Proposal was agreed to by the said Chancellor,

A. D. 1816. Masters, and Scholars; but forasmuch as the several Purposes aforesaid cannot be effected without the Aid and Authority of Parliament: Wherefore Your Majesty's most dutiful and loyal Subjects, the President and Scholars of *Saint Mary Magdalen College*, in the said University, and *John David Macbridge*¹ Doctor of Laws, Principal of *Magdalen Hall* aforesaid, do most humbly beseech Your Majesty, that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That it shall and may be lawful for the King's most Excellent Majesty, His Heirs or Successors, to grant the Site of the said dissolved College, and all or any Part of the said other Lands, Tenements, and Hereditaments, so escheated to His Majesty as aforesaid, to the said Chancellor, Masters, and Scholars, and their Successors, for ever, in Trust for the Use of the Principal and other Members for the Time being of *Magdalen Hall* aforesaid, as and when to His Majesty, His Heirs or Successors, shall seem meet, any Law or Statute to the contrary thereof notwithstanding.

His Majesty to grant the site of dissolved College, &c. to the Chancellor, Masters, etc. in Trust for the Principal, &c. of Magdalen Hall.

President and Scholars of Magdalen College may repair the dissolved College.

II. And be it further enacted, That from and after the passing of this Act, it shall and may be lawful to and for the President and Scholars of *Saint Mary Magdalen College*, at their sole Expence to engage and employ any Builder, Workmen and others, and for such Persons when so engaged and employed to make and do all and every such Alterations, Reparations, and Improvements, in and to the several Buildings, Chambers, and other Parts of the said dissolved College, as may be necessary and suitable for the Reception and comfortable Occupation of the Principal of *Magdalen Hall*, and other Members thereof; and for that Purpose to take down and rebuild, with like or other Materials of as good a Quality and in a substantial and workmanlike Manner, such Part or Parts of the said dissolved College as in the Judgment of the Vice Chan-

¹ *Sic.* The name should be *Macbride*.

cellor and Delegates of Estates of the said University, A. D. 1816. cannot be well and effectually repaired.

III. And whereas it is expedient that the Ground and Buildings now forming Part of the said dissolved College, which are held by Lease under the President and Scholars of *Saint Mary Magdalen College*, may hereafter be permanently enjoyed by the Principal and other Members of the said Hall; be it therefore enacted, That it shall and may be lawful to and for the said President and Scholars, and they are hereby authorized and empowered, without any Consideration in Money, to grant and convey the Fee Simple and Inheritance of the said Ground and Buildings comprized in the said Lease, with their Appurtenances, unto and to the Use of the Chancellor, Masters, and Scholars of the University of *Oxford*, and their Successors for ever, freed and discharged from the said annual Rent of Three Pounds Fifteen Shillings and One Penny, or any other Rent or Charge whatever; upon Trust for the Principal and other Members of the said Hall for the Time being, and to the Intent that the same may become a component Part of the said Hall, and be used and enjoyed accordingly.

Premises held by Lease under Magdalen College to be permanently enjoyed by the Principal and other Members of Magdalen Hall.

IV. And be it further enacted, That when and so soon as the said Buildings, Chambers, and other Parts of the said dissolved College, shall have been put into such a State of complete Repair as shall be approved by the Vice Chancellor and Delegates of Estates of the said University for the Time being, and the said President and Scholars of *Saint Mary Magdalen College* shall have made such Grant and Conveyance as herein-before mentioned, it shall and may be lawful to and for the then Principal of the said Hall, and for all and every the Members thereof, and they and each and every of them are hereby required to surrender and give up the Possession of the same Hall and every Part thereof, and to relinquish all Right and Title to the future Occupation and Enjoyment of the same, and of every Part thereof, unto the said President and Scholars of *Saint Mary Magdalen College*; and the said

When repaired, the Principal and other Members of Magdalen Hall to remove to the dissolved College of Hertford.

A. D. 1816. Principal and other Members of the said Hall shall thenceforth remove to and become established at the said dissolved College, which shall from and after the same shall have been put into such Repair as aforesaid, and taken Possession of by the said Principal and other Members, be called *Magdalen Hall in the University of Oxford*; and the said removed Establishment of the said Hall shall, to all Intents and Purposes whatsoever, continue and be deemed, taken, and reputed to be the same Establishment, as if the same had continued at and had not been removed from the present and ancient Site thereof.

The Removal not to affect the Rights, &c. of the Principal and other Members of the Hall, or of the said Chancellor, Masters and Scholars.

V. And be it further enacted, That the said Removal of the Establishment of the said Hall shall not in any Respects or Respect whatsoever, prejudice, diminish, vary, alter or affect the Powers, Immunities, Advantages, Rights, and Privileges, belonging or appertaining to the said Hall, or to the present or any future Principal, or any other Members or Member thereof, or belonging or appertaining to the Chancellor, Masters, and Scholars of the said University, in, over, or otherwise touching or relating to the said Hall, or to the present or any future Principal or other Members or Member thereof; but from and after such Removal of the Establishment of the said Hall, all and every the Powers, Immunities, Advantages, Rights and Privileges whatsoever, belonging or appertaining to the said Hall, or to the present or any future Member or Members thereof, or belonging or appertaining to the said Chancellor, Masters, and Scholars, in, over, or otherwise touching or relating to the said Hall, or to the present or any future Principal, or other Member or Members thereof, shall be and continue such and the same in all respects whatsoever, as if the Removal of the Establishment of the said Hall had not taken place.

The Chancellor, Masters, and Scholars of the University empowered

VI. And whereas the said Chancellor, Masters, and Scholars are desirous that the Ground and Buildings forming Part of the said dissolved College, which are comprized in the herein-before mentioned Indenture of Lease of the Twenty-seventh Day of *February* One thousand seven

hundred and ninety-eight, may become a component Part of the said intended Hall, and be permanently enjoyed by the Principal and other Members thereof for the Time being, freed and discharged from the said annual Rents of Ten Shillings and One Shilling and Eight-pence: Be it therefore further enacted, That it shall and may be lawful for the said Chancellor, Masters, and Scholars and their Successors, and they are hereby authorized and empowered whenever they shall think proper, by any Deed in Writing under their Common Seal, to release and extinguish the said several annual Rents of Ten Shillings and One Shilling and Eight-pence, and to declare by the same or by any other Deed under their Common Seal, that they the said Chancellor, Masters and Scholars and their Successors, for ever, shall stand seised of the said Ground and Buildings comprized in the said Lease, in Trust for the Principal and other Members of the said Hall for the Time being, freed and discharged from the said annual Rents.

A. D. 1816.
to release
and ex-
tinguish
certain
annual
Rents.

VII. Provided always, and be it further enacted, That the President and Scholars of *Saint Mary Magdalen College*, and their Successors, shall yearly and every Year, as and when the said yearly Rent Charge of One Pound Thirteen Shillings and Four-pence to the Rector and Fellows of *Exeter College* shall become payable, pay the same into the proper Hands of the Principal of the said Hall for the Time being, or unto such Person or Persons as may be authorized or entitled to receive the same, to the Intent that the said Rent Charge of One Pound Thirteen Shillings and Four-pence may be regularly paid to the Rector and Fellows of *Exeter College*, and that the Principal of the said Hall may be indemnified in respect thereof.

The Presi-
dent and
Scholars
of Mag-
dalen Col-
lege to pay
the Rent
Charge of
1l. 13s. 4d.
to Exeter
College.

VIII. Provided always, and be it further enacted and declared, That nothing in this Act contained shall pre-
judice the Right, Title, Claim or Entry of the Rector and Fellows of *Exeter College*, in respect of the said Rent Charge of One Pound Thirteen Shillings and Four-pence,

The Right
of Entry of
Exeter Col-
lege in re-
spect of
the Rent
Charge of
1l. 13s. 4d.

A. D. 1816. so issuing and payable out of some Part or Parts of the
 not to be said dissolved College; but on the contrary the said Rector
 affected. and Fellows and their Successors shall have, use, exercise
 and enjoy all Powers and Remedies for raising, recovering,
 and obtaining Payment of the same, in as full, ample and
 beneficial a manner as if this Act had not passed.

Remedy in
 case of
 Neglect or
 Refusal to
 make the
 before-
 mentioned
 Payments.

IX. Provided always, and be it further enacted, That in
 case the said President and Scholars and their Successors
 shall at any Time or Times neglect or refuse to pay the
 said Rent Charge of One Pound Thirteen Shillings and
 Four-pence as and when the same shall become due and
 payable, it shall and may be lawful for the Principal of
 the said Hall for the Time being, or for the Person or
 Persons entitled to such Payment, to sue for and recover
 the same from the said President and Scholars and their
 Successors, in any of His Majesty's Courts of Record at
Westminster, by an Action of Debt for Money paid.

After Re-
 moval of
 the Prin-
 cipal, &c.
 of Mag-
 dalen Hall,
 to the dis-
 solved Col-
 lege, and
 a School
 provided,
 the Hall,
 &c. may
 be taken
 down.

X. And be it further enacted, That immediately from
 and after the Removal of the Principal and other Members
 of the said Hall to the said dissolved College, and after
 a suitable School shall have been erected or provided for
 the said Choristers, it shall and may be lawful to and
 for the President and Scholars of *Saint Mary Magda-
 len College* to cause the said Hall and the said School
 adjoining thereto, to be taken down, and to use or dispose
 of the Materials thereof, in such Manner as they may deem
 proper; and also to erect any Buildings on the Site thereof,
 or otherwise to inclose and annex the same to the said
 College, it being intended by this Act that the Site of the
 said Hall and School shall for ever afterwards be united
 to and form Part and Parcel of *Saint Mary Magdalen
 College*.

Power
 given to
 the Chan-
 cellor,
 Masters,
 and Scho-
 lars of the
 University
 to purchase

XI. And whereas the Site and Buildings of the said
 dissolved College may be greatly improved and made
 more ornamental, and the Occupation of the same by its
 intended Possessors rendered more convenient and desirable,
 if the Front of the said dissolved College and also certain
 Houses at the North and South Ends thereof, with a House

in the Occupation of *Richard Paine* leading to *New College Lane* were taken down; and it is therefore expedient that Power should be given for that Purpose; be it therefore enacted, That it shall and may be lawful for the Chancellor, Masters, and Scholars of the said University, to treat and agree with the Owners and Occupiers of and with all other Persons interested in the Houses and other Buildings and Ground now in the several Occupations of *Ann Bailey, Edward Hutton, Robert Bateman Herbert, Edward Leader, James Stone, and Dorothy Barker*, at the North and South Ends of the Front of the said dissolved College, and in the House, Buildings, and Ground, now in the Occupation of the said *Richard Paine*, leading to *New College Lane*, and in the Schedule of this Act more particularly described, for the Purchase of the same, and to become seised and possessed thereof, without being subject or liable to any of the Penalties or Forfeitures of the Statutes of Mortmain, and to pay for the same out of any Money that shall come to their Hands for that Purpose, either by Subscription or public or private Donation or Bequest; and that the Monies to be paid for the Purchase thereof shall be certified for Payment by the said Chancellor, Masters, and Scholars, or by the Delegates of Estates of the said University, and shall be by them paid out of the Monies which shall come to their Hands for that Purpose, to the Person or Persons, Body or Bodies Politic, Corporate, or Collegiate, entitled thereto; or shall be laid out and disposed of in the Bank of *England*, in the Manner by this Act directed, as the Case may be; and upon Payment of the Money required to be paid for the Purchase of such Houses and other Buildings and Ground, to the Person or Persons entitled thereto, or on depositing the same in the Bank of *England* in Manner by this Act directed, as the Case may require, such Premises shall thereupon vest absolutely in the Chancellor, Masters, and Scholars of the said University, for the Purposes of this Act.

A. D. 1816.
certain
Houses.

XII. And be it further enacted, That it shall and may Bodies
Politic, &c.

A. D. 1816. be lawful to and for all Bodies Politic, Corporate, or Collegiate, and for all Corporations, whether Aggregate or Sole, Spiritual, Eleemosynary or Lay, and all Feoffees in Trust, Executors, Administrators, Husbands, Guardians, Committees of or for Lunatics, and all other Trustees whomsoever, not only for and on Behalf of themselves, but also for and on Behalf of their *Cestuique* Trusts respectively, whether Infants or Issue unborn, Lunatics, Idiots, Femes Covert, or other Person or Persons under any Disability of acting for himself, herself, or themselves; and also to and for all Femes Covert who are or shall be seised in their own Right, and to and for all Persons, whether Tenants for Life, in Tail General or Special, or for Years determinable on any Life or Lives, and to and for all and every Person and Persons whomsoever who are or shall be seised, possessed of, or interested in any of the said Houses and other Buildings and Ground mentioned and comprized in the said Schedule hereunto annexed, to treat and agree with the said Chancellor, Masters, and Scholars, for the absolute Sale thereof, or of any Part or Parts thereof, and to convey the same to the said Chancellor, Masters, and Scholars, and their Successors, for the Purposes mentioned in this Act; and that all Contracts, Agreements, Sales, and Conveyances which shall be so made by virtue and in pursuance of this Act, shall, without any Fine or Fines, Recovery or Recoveries, be good, valid, and effectual to all Intents and Purposes, not only to convey the Estate and Interest of the Person or Persons conveying or intending to convey the same, but also to convey all Right, Title, Estate, and Interest, Use, Property, Claim, and Demand whatsoever, of the several and respective *Cestuique* Trusts, and all other Persons claiming or to claim by, from, or under them; any Law, Statute, Usage, or any other Matter or Thing whatsoever to the contrary thereof notwithstanding; and all Bodies Politic Corporate, or Collegiate, Corporations Aggregate or Sole, Spiritual, Eleemosynary or Lay, and all Feoffees in Trust, Executors, Administrators, Husbands, Guardians, Com-

mittees, Trustees, and all other Persons whomsoever, are A. D. 1816.
and shall be hereby indemnified for what they shall do by
virtue of or in pursuance of this Act.

XIII. And be it further enacted, That if any Money Applica-
tion of
Purchase
Monies :
shall be agreed to be paid for any Tenements or Here-
ditaments purchased by virtue of the Powers of this Act
for the Purposes thereof, which shall belong to any Cor-
poration, Feme Covert, Infant, Lunatic, or Persons under
any Disability or Incapacity, such Money shall, in case the
same shall amount to or exceed the Sum of Two hundred
Pounds, with all convenient Speed be paid into the Bank
of *England*, in the Name and with the Privity of the
Accountant General of the High Court of Chancery, to
be placed to his Account *ex parte* the Chancellor, Masters,
and Scholars of the University of *Oxford*, to the Intent
that such Money shall be applied under the Direction and
with the Approbation of the said Court, to be signified by
an Order made upon a Petition to be preferred in a
summary Way by the Person or Persons who would have
been entitled to the Rents and Profits of the said Lands,
Tenements, or Hereditaments, in the Purchase of the Land
Tax, or towards the Discharge of any Debt or Debts or
such other Incumbrances or Parts thereof as the said Court
shall authorize to be paid, affecting the same Tenements
or Hereditaments, or affecting other Tenements or Here-
ditaments standing settled therewith, to the same or the
like Uses, Intents or Purposes; or where such Money
shall not be so applied, then the same shall be laid out
and invested under the like Direction and Approbation
of the said Court in the Purchase of other Lands, Tene-
ments, or Hereditaments, which shall be conveyed and
settled to, for, and upon such and the like Uses, Trusts,
Intents and Purposes, and in the same Manner as the
Tenements or Hereditaments which shall be so purchased,
taken or used as aforesaid, stood settled or limited, or such
of them as at the Time of making such Conveyance and
Settlement shall be existing undetermined and capable of
taking Effect; and in the Meantime and until such Pur-

A. D. 1816. chase shall be made, the said Money shall by Order of the said Court of Chancery, upon Application thereto, be invested by the said Accountant General in his Name in the Purchase of Three Pounds *per Centum* Consolidated, or Three Pounds *per Centum* Reduced Bank Annuities; and in the Meantime and until the said Bank Annuities shall be ordered by the said Court to be sold for the Purposes aforesaid, the Dividends and annual Produce of the said Consolidated or Reduced Bank Annuities, shall from Time to Time be paid by Order of the said Court to the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the Lands, Tenements or Hereditaments, so hereby directed to be purchased in case such Purchase or Settlement were made.

Where less
than 200l.
and not
under 20l.

XIV. Provided always, and be it further enacted, That if any Money so agreed to be paid for any Lands, Tenements or Hereditaments purchased, taken, or used for the Purposes aforesaid, and belonging to any Corporation, or to any Person or Persons under any Disability or Incapacity as aforesaid, shall be less than the Sum of Two hundred Pounds, and shall amount to or exceed the Sum of Twenty Pounds, then and in all such Cases the same shall, at the Option of the Person or Persons for the Time being entitled to the Rents and Profits of the Tenements or Hereditaments so purchased, taken, or used, or of his, her, or their Guardian or Guardians, Committee or Committees, in case of Infancy or Lunacy, to be signified in Writing under their respective Hands, be paid into the Bank in the Name and with the Privity of the said Accountant General of the High Court of Chancery, and be placed to his Account as aforesaid, in order to be applied in the Manner herein-before directed; or otherwise the same shall be paid at the like Option of ¹ Two Trustees, to be nominated by the Person or Persons making such Option, and approved by the said Chancellor, Masters, and Scholars, such Nomination and Approbation to be signified in Writing under the Hands and Seals of the nominating and

¹ *Sic.* The word should be *to*,

approving Parties respectively, in order that such Principal A. D. 1816.
Monies, and the Dividends arising thereon, may be applied
in any Manner herein-before directed, so far as the Case be
applicable, without obtaining, or being required to obtain, the
Direction or Approbation of the said Court of Chancery.

XV. Provided also, and be it further enacted, That ^{Where less}
when such Money so agreed to be paid as last before ^{than 20l,}
mentioned shall be less than Twenty Pounds, then and
in all such Cases the same shall be applied to the Use of
the Person or Persons who would for the Time being
have been entitled to the Rents and Profits of the Tene-
ments or Hereditaments so purchased, taken, or used for
the Purposes of this Act, in such Manner as the said
Chancellor, Masters, and Scholars shall think fit; or in
case of Infancy or Lunacy, then to his, her, or their
Guardian or Guardians, Committee or Committees, to and
for the Use and Benefit of such Person or Persons so
entitled respectively.

XVI. Provided always, and be it further enacted, That ^{Respecting}
where any Question shall arise touching the Title of any ^{disputed}
Corporation, or any Person or Persons, to any Money to ^{Titles.}
be paid into the Bank of *England*, in the Name and with
the Privy of the Accountant General of the Court of
Chancery, in pursuance of this Act, for the Purchase of
any Tenements or Hereditaments, or of any Estate, Right,
or Interest in any Tenements or Hereditaments as afore-
said, or to any Bank Annuities to be purchased with any
such Money, or the Dividends or Interest of any such
Bank Annuities, the Person or Persons who shall have
been in Possession of such Tenements or Hereditaments
at the Time of such Purchase, and all Persons claiming
under such Person or Persons, or under the Possession of
such Person or Persons, shall be deemed and taken to have
been lawfully entitled to such Tenements or Hereditaments,
according to such Possession, until the contrary shall be
shewn to the Satisfaction of the said Court of Chancery;
and the Dividends or Interest of the Bank Annuities to
be purchased with such Money, and also the Capital of

A. D. 1816. such Bank Annuities, shall be paid, applied and disposed of accordingly, unless it shall be made appear to the said Court that such Possession was a wrongful Possession, and that some other Person or Persons was or were lawfully entitled to such Tenements or Hereditaments, or to some Estate or Interest therein.

Satisfaction being made, Houses, &c. to be taken down.

XVII. And be it further enacted, That when and so soon as full Satisfaction shall have been made by any of the Means aforesaid to all Persons interested in such Houses, Buildings and Ground, it shall and may be lawful for the said Chancellor, Masters, and Scholars, and they are hereby empowered to cause the same to be taken down, and to add so much of the Site or Ground thereof to the Site of the said dissolved College as may be necessary for the intended Improvements of the same, for the Use and Benefit of the Principal and other Members of *Magdalen Hall*, and shall and may sell and dispose of the Remainder thereof, with the Materials of the said Houses and Buildings, in such Manner as the said Chancellor, Masters, and Scholars, or the said Delegates of Estates, shall think proper, and apply the Produce thereof in the making the said Improvements or Repayment of any Money expended therein.

Privileges of the University not to be affected.

XVIII. Provided also, and be it further enacted, That nothing in this Act shall extend or be deemed or construed to extend to take away, diminish, or impede the Exercise of any Privilege or Right whatsoever of the said University, or of any of the Magistrates, Officers, Ministers, or Servants thereunto belonging.

General Saving.

XIX. Saving always to the King's most Excellent Majesty, His Heirs and Successors, and to all and every other Person and Persons, Bodies Politic Corporate or Collegiate, and his and their Heirs, Successors, Executors, and Administrators (other than and except the said Chancellor, Masters, and Scholars of the said University, and the said President and Scholars of *Saint Mary Magdalen College*, and the Principal and other Members of *Magdalen Hall*) all such Estate, Right, Title, and Interest, as they,

every, or any of them, could or ought to have had or A. D. 1816.
enjoyed, in case this Act had not been made.

The SCHEDULE to which this Act refers.

OCCUPIERS.	DESCRIPTION.	OWNERS.
Ann Bailey .	A Dwelling House .	{ Thomas Preston, under a bene- ficial Lease from the City of Ox- ford.
Edward Hutton	A Dwelling House .	
Robert Bateman { Herbert .	A Dwelling House and small Court Yard .	{ Edward Hutton, under a similar Lease.
Edward Leader .	Ditto .	
James Stone .	A Dwelling House, Shop under Hertford College Library, and a small Garden and Court Yard	Jane Vowles.
Dorothy Barker {	A Dwelling House, and small Court Yard .	Ditto.
Richard Paine .	A small Public House, and Court Yard .	James Stone.
		The Reverend Mr. Dere.
		Edward Michlem, under a bene- ficial Lease from the City of Ox- ford.

57^o GEO. III. CAP. XIX.

An Act for the more effectually preventing Seditious A. D. 1817.
Meetings and Assemblies. [31st March 1817.]

[Sections 14–19 prohibit lectures discourses or public
debates on any subject whatever for the purpose of
raising money or upon payment for admission in any
place not licensed.

Section 20 enacts exceptions which are a *verbatim* repe-
tition of 39 Geo. 3. c. 79. s. 22 (*supra*) except that after

A. D. 1817.

'Gresham College' the following words are inserted 'or to the Professors in the College established for the Education of the Civil Servants of the *East India* Company, or the Seminaries established for the Education of their Military Service, or to any Society or Body of Men incorporated or established by Royal Charter, or by Authority of Parliament'; and that the words 'by Law' are inserted between 'Person' and 'allowed' in line 11 of s. 22 as printed *supra*.

Section 22 provides that 'the Clauses and Provisions hereinbefore contained' shall continue till the 24th of July, 1818; at which date they expired.]

57^o GEO. III. CAP. XCIX.

An Act to consolidate and amend the Laws relating to Spiritual Persons holding of Farms; and for enforcing the Residence of Spiritual Persons on their Benefices; and for the Support and Maintenance of Stipendiary Curates in *England*.¹

[10th July 1817.]

[Section I recites *inter alia* 21 Hen. 8. c. 13 (*supra*), 28 Hen. 8. c. 13 (*supra*), and 43 Geo. 3. c. 84 (*supra*); and repeals the last Act and so much of the others as relates to Spiritual Persons holding of Farms, and to Leases of Benefices and Livings, and to buying and selling, and to Residence of Spiritual Persons on their Benefices.']

Certain
Persons
exempted
from Pen-
alties for
Non-resi-
dence.

X. And be it further enacted, That no Spiritual Person, being Chancellor, Vice-Chancellor, or Commissary of either of the Universities of *Oxford* or *Cambridge*, or being Warden, Dean, Provost, President, Rector, Principal, Master, or other Head Ruler of any College or Hall within the said Universities, and no Spiritual Person having or holding any Professorship, or any public Readership in either of the said Universities, being actually resident within

¹ This Act was repealed by 1 & 2 Vict. c. 106. s. 1 (*infra*).

the Precincts of the University, and reading Lectures A. D. 1817. therein ; and no Scholar under the Age of Thirty Years, abiding for Study without Fraud at either of the said Universities ; . . . and no Spiritual Person actually serving . . . as Bursar, Treasurer, Dean, Vice-President, Subdean, or Public Tutor or Chaplain, or other such Public Officer, in any College or Hall in either of the Universities of *Oxford* or *Cambridge*, during the Period for which he may respectively be required, by reason of any such Office, to reside and perform the Duties of any such Office, and actually shall reside and perform the Duties of the same ; or as Public Librarian or Public Registrar or Proctor, or Public Orator, or other such Public Officer, in either of the said Universities, during the Period for which he may respectively be required by reason thereof to reside and perform the Duties of any such Office, and actually shall reside and perform the Duties of the same ; or as Fellow of any College in either of the Universities, during the Time for which he may be required to reside by any Charter or Statute, and shall actually reside therein ; or as Warden, Provost, or Fellow of *Eton* or *Winchester* College, or as the Master of the Charter House, during the Time for which he may be required so to reside, and shall actually reside therein respectively ; or within the City or Town or Suburbs of the City or Town within or near to which the said Colleges are respectively situate ; or as Master or Usher in the said Colleges of *Eton* or *Winchester*, or as a Master or Usher of *Westminster* School, or as Principal or Professor of the *East India* College ; or who shall be specially exempt from Residence under the Provisions of any Act or Acts of Parliament not repealed by this Act, shall be liable to any of the Pains, Penalties, or Forfeitures in this Act contained, for or on account of any Non-residence, during any such Period as aforesaid, on any Benefice ; but every such Spiritual Person shall, with respect to Residence under this Act, be entitled to account such Period as if he had legally resided on some other Benefice ; any Thing in this Act contained to the contrary notwithstanding.

58^o GEO. III. CAP. XX.

A. D. 1818. An Act for more effectually discovering the Longitude at Sea, and encouraging Attempts to find a *Northern* Passage between the *Atlantic* and *Pacific* Oceans, and to approach the *Northern* Pole.¹ [8th May 1818.]

[The Preamble recites that by 13 Ann. c. 14 [12 Ann. St. 2. c. 15., Ruff.] (*supra*) the holders of certain Public Offices and certain other Persons mentioned by name were appointed Commissioners for the Discovery of the Longitude at Sea, that 25 Geo. 2. c. 26 was passed for rendering the Act of Anne more effectual, and that the holders of other Offices were added by 30 Geo. 3. c. 14; that the persons appointed by name were long since deceased; that 'by reason of the Residence at the Universities of certain Professors who are constituted Members of the Board of Commissioners aforesaid, and by there not being a Power of electing into the said Board any Persons but the said Official Commissioners and the said Professors, it often happens that there are no Persons, particularly versed in the Sciences of the Mathematics and Astronomy, resident in *London*, and belonging to the said Board; and that divers Persons of great Skill and Ability, whose Services would be most beneficial to the Objects of the said Board, are by the said Constitution of the Board excluded therefrom'.

The Act repeals the Acts recited in the Preamble, 18 Geo. 2. c. 17, 16 Geo. 3. c. 6, and all other Acts conferring duties and authorities on the Commissioners for the discovery of the Longitude at sea.

Section 2 appoints Commissioners for executing the Act, among whom are included 'the *Savilian*, *Lucasian*, *Plumian*, and *Lowndian* Professors of the Mathematics and Astronomy at the Universities of *Oxford* and

¹ This Act was repealed by 9 Geo. 4. c. 66. s. 1.

Cambridge, the Observer at the *Radcliffe* Observatory A.D. 1818. at *Oxford*, all now and for the time being'.

Section 27 fixes the quorum of the Commissioners at five provided that one shall be 'the First or one other of the Commissioners, or One of the secretaries of the Admiralty; and that also Three other of the following Commissioners at the least shall be present, that is to say, the President of the Royal Society, the Astronomer Royal, the Professors and Observer at the Two Universities, and the Three Commissioners annually elected and receiving Salaries as aforesaid'.]

58^o GEO. III. CAP. XLV.

An Act for building and promoting the building of additional Churches in populous Parishes.

[30th May 1818.]

LXIX. Provided always, That nothing in this Act contained shall extend to or affect the Right of the Principal and Scholars of the *King's Hall* and College of *Brazen Nose* in the University of *Oxford*, and their Successors, to nominate and present from Time to Time fit Clerks to officiate in all Churches or Chapels built or to be built within the Parish of *Stebbunheath*, otherwise called *Stepney*, in the County of *Middlesex*; which Right was and is secured and confirmed to the said Principal and Scholars, and their Successors, by several Acts of Parliament made in the Ninth and Twelfth Years of the Reign of Her late Majesty Queen *Anne*; ¹ but that the said Right shall continue and remain to them in respect of all Churches or Chapels that may by virtue of this Act be built or constituted within the said Parish, or within any Portion, Division, or District thereof, or which by virtue of this

Proviso for Rights of Brazen Nose College to present Clerks to Churches within the Parish of Stepney, not to be affected.

¹ 9 Ann. c. xii [c. 16., Ruff.], and 12 Ann. [12 Ann. St. 1., Ruff.] c. 17 (*supra*).

A. D. 1818. Act may be separated therefrom; any Thing in this Act contained to the contrary notwithstanding.

58^o GEO. III. CAP. XCI.

An Act for appointing Commissioners to inquire concerning Charities in *England* for the Education of the Poor. [10th June 1818.]

Powers not
to extend
to Uni-
versities,
Public
Schools,
&c.

XII. And be it further enacted, That none of the Provisions herein-before contained shall be construed to extend to either of the Universities of *Oxford* or *Cambridge*, nor to any College or Hall within the same, nor to any Schools or other Endowments of which the said Universities, Colleges, or Halls are Trustees, nor to the Colleges of *Westminster*, *Eton*, or *Winchester*, or to the Charterhouse, or the Schools of *Harrow* or *Rugby*, or any of them, nor to any Cathedral or Collegiate Church within *England*, nor to any College, Free School, or other charitable Institution for the Purposes of Education, which have Special Visitors, Governors, or Overseers appointed by their Founders, nor to any Funds applicable to the Purposes of Education for the Benefit of any Persons of the *Jewish* Persuasion, or the People called *Quakers*, or Person or Persons of the *Roman Catholic* Persuasion, and which shall be under the Superintendence and Control of Persons of such Persuasions respectively: Provided always, that the said Commissioners shall report, as herein-before directed, the Names of all such Charities aforesaid as have Special Visitors, Governors, or Overseers appointed.

[Section 15 provided that the Act should continue in force till the 1st of August, 1820, and until the end of the then Session of Parliament.¹]

¹ This Act was continued by 59 Geo. 3. c. 81 (*infra*), 5 Geo. 4. c. 58, and 10 Geo. 4. c. 57 till the 1st of July, 1830, when it expired. See 1 & 2 Will. 4. c. 34 (*infra*).

58^o GEO. III. Cap. xlviii.

An Act for increasing the Fund for carrying into A. D. 1818.
 Execution several Acts of His present Majesty,
 for improving the Drainage of the *Middle* and
South Levels, Part of the Great Level of the Fens
 called *Bedford Level*, and other Lands therein
 mentioned, and for improving the Navigation of
 the River *Ouse*, in the County of *Norfolk*, and of
 the several Rivers communicating therewith.¹

[8th May 1818.]

II. And whereas the Masters, Fellows, and Scholars of Bursar of
 the College of *Saint John the Evangelist*, in the University St. John's
 of *Cambridge*, are seised of a greater Number of Acres of College,
 Land taxed and charged in and by the said recited Acts ² Cam-
 or some of them, than are requisite to constitute a Com- bridge, for
 missioner under this Act and the said recited Acts; be it the Time
 therefore enacted, That the Bursar for the Time being being to
 of the said College of *Saint John the Evangelist*, in the be a Com-
 University of *Cambridge*, shall from Time to Time for ever
 hereafter be, and he is hereby constituted and appointed,
 the Commissioner of Drainage under this Act and the said
 recited Acts, for and in respect of the Lands of the Master,
 Fellows, and Scholars of the said College of *Saint John*
the Evangelist, in the University of *Cambridge*, charged or
 to be charged with the said Tax of One Shilling *per* Acre,
 or any other Tax or Charge whatever, under and by virtue
 of this Act or the said recited Acts, or either of them;

¹ This Act was repealed by The Ouse Outfall Act, 1860 (23 Vict. c. lxxxviii) s. 4, the property of the Eau Brink Drainage Commissioners being by s. 38 transferred to the Ouse Outfall Board, and their powers, authorities, jurisdictions, obligations, rights and remedies being transferred by ss. 88 & 89 partly to the Ouse Outfall Board and partly to the Denver Sluice Commissioners.

² The Eau Brink Acts, 1795 (35 Geo. 3. c. 77) (*supra*), 1796 (36 Geo. 3. c. 33), 1805 (45 Geo. 3. c. 72), and 1816 (56 Geo. 3. c. xxxviii) are recited in the Preamble.

A. D. 1818. and as such Commissioner he is hereby constituted and appointed one of the Commissioners of Drainage under this Act and the said recited Acts, and as such he is hereby invested with, and declared to have and enjoy, the like Powers and Authorities as each of the other Commissioners under this Act and the said recited Acts.

Tenants of
King's
College
and
St. John's
College
Cam-
bridge, not
to deduct
Taxes.

VI. Provided always, and be it further enacted, That nothing herein contained shall extend or be construed to extend to authorize the Tenant or Tenants of any Lands, Tenements, and Hereditaments belonging to the Provost and Scholars of *King's College*, or to the Masters, Fellows, and Scholars of the College of *Saint John the Evangelist*, in the University of *Cambridge*, to deduct the Taxes, Rates, or Assessments which shall be paid by such Tenant or Tenants respectively, under any of the Provisions of this Act, or any of the said recited Acts, out of his, her, or their Rent; but that the same Taxes, Rates, and Assessments shall be wholly borne and paid by such Tenant or Tenants respectively; any Thing herein contained to the contrary notwithstanding.¹

58^o GEO. III. Cap. lxiv.

An Act for lighting with Gas the University and City of *Oxford*, and the Suburbs of the said City.²

[23rd May 1818.]

[The Preamble of this Act recites that 'the University and City of *Oxford*, and the suburbs of the said City is a large and populous place, and it would be of great Benefit to the Members of the said University, and the Citizens and Inhabitants of the said City, and to the Public at large, if the Colleges, Halls, Public Highways, Lanes, Streets, Passages, and other

¹ The Acts require the taxes to be paid by the occupier, who, if a tenant, may deduct the amount from his rent, unless he hold under a beneficial lease or has agreed with his landlord to pay all taxes.

² This Act was repealed by 32 & 33 Vict. c. cxxii. s. 4 (*infra*), subject to the provisions of the repealing Act.

Places were better lighted', that 'inflammable Air' A. D. 1818. and certain other products may be procured from coal, and that 'the said inflammable Air, being conveyed by Means of Pipes, may be safely and beneficially used for lighting the several Colleges, Halls, Public Highways, Lanes, Streets, Passages, and other Places within the said University and City of Oxford, and Suburbs of the same, and for lighting Private Houses'; and the first section of the Act declares certain persons named in it and their successors 'to be One Body Politic and Corporate by the Name of "The Oxford Gas Light and Coke Company"', with perpetual succession, a common seal, and certain powers.]

XI. Provided always, and be it further enacted, That no Gasometer or Depôt of Gas, or Buildings or Machinery for the Manufacturing or Production of Gas, shall be erected, made, or established, or used within Two hundred Yards of any public Building, Garden, or Walk belonging to, or held, or repaired, or maintained by the said Chancellor, Masters, and Scholars of the said University, without first obtaining their Consent under their Common Seal; or within Two hundred Yards of the Cathedral Church of *Christ*, in the said University, or of the Precincts, Gardens, or Walks of the same, without first obtaining the Consent of the Dean and Chapter of the said Cathedral Church, under their Common Seal; or within Two hundred Yards of any College in the said University, or of the Precincts, Gardens, or Walks of any College, without first obtaining the Consent of such College, under its Common Seal; or within Two hundred Yards of any Hall in the said University, or of the Precincts, Gardens, or Walks of any Hall, without first obtaining the Consent of the Chancellor, Masters, and Scholars of the said University, under their Common Seal, and of the Principal of such Hall for the Time being, under his Hand; or within Two hundred Yards of any public Building, Garden, or Walk vested in or held by Doctor *Radcliffe's* Trustees, or the Trustees of the *Oxford Market*, or any

Situation of the Gasometer, &c. not to be within Two hundred Yards of any College or Dwelling House, &c.

A. D. 1818. Trustees for charitable or other Purposes, without first obtaining the Consent of the said respective Trustees in Writing under their Hands: Provided also, that the said Gasometer or Depôt of Gas, or Buildings or Machinery, shall not be made or established within Two hundred Yards of any Messuage, Tenement, or Dwelling House, in any Place or Situation in the said City of *Oxford* and Suburbs, and Liberties and Precincts of the said City, without first obtaining the Consent and Approbation of the Owner or Owners, Lessee or Lessees for the Time being of such Messuage, Tenement, or Dwelling House under his, her, or their Hand or Hands.

Limiting
the Profits
of the
Company.

XXXIII. Provided always, and be it further enacted, That the clear Profits to be received by the said Company of Proprietors from the said Undertaking, shall never exceed the Sum of Ten Pounds *per Annum* upon each Share of One hundred Pounds; and in order to ascertain the Amount of the clear Profits of the said Undertaking, the said Company shall and are hereby required, from the Thirty-first Day of *December* next after the Expiration of Two Years from the Time of passing this Act, to cause a true, exact, and particular Account to be kept and annually made up and balanced to the said Thirty-first Day of *December*, of the Money collected or received by them, or for their Use, by virtue of this Act, and of the Charges and Expences attending the supporting, maintaining, and using the said Works; and if the clear Profits of the said Undertaking shall at any Time amount to a larger Sum of Money than shall be sufficient to make a Distribution amongst the said Proprietors of Ten Pounds *per Annum* upon every such Share, such Percentage to be computed and take place from the Time of the passing of this Act, then and in such case the Excess or Surplus which shall be more than sufficient for the Purposes aforesaid, shall from Time to Time be placed in the Hands of such Person or Persons, or on such Government or other Security or Securities, to answer any Deficiencies that may happen in the next or any succeeding Year or Years, as the said Company shall for that

Purpose order or direct, until such Excess or Surplus shall amount to the Sum of Four thousand Pounds; and the Interest or Dividends of such Sum or Sums so to be invested shall be paid and applied in like Manner as the Money to be received by or for the Use of the said Company by virtue of this Act are¹ to be paid or applied; and the total Amount of every such annual Account as aforesaid, together with an Account of the Dividends and Interest to be from Time to Time received on all such Money so to be placed out as aforesaid, shall be laid before the Vice Chancellor of the said University of *Oxford*, or any other Magistrate acting for the said University, and the Mayor of the said City, or any other Magistrate acting for the said City, not interested in the Undertaking, Twenty-one Days next after the making up of every such annual Account, to be made on the Twenty-sixth Day of *December*; and if it shall appear that the clear Profits of the said Undertaking, after such Sum shall have been so vested, including the said Dividends and Interest, shall, upon the Average of Three Years then next preceding, have exceeded the Rate of Ten Pounds *per Annum* upon every such Share, then and in every such Case the said Company of Proprietors shall pay such Surplus of the said clear Profits, Dividends, and Interest to the said Commissioners for lighting, paving, and cleansing the said University and City of *Oxford*, to be by them applied and disposed of towards and in Aid of any Rate or Assessment, Rates or Assessments, made or to be made under the said Act; ² any thing in this Act to the contrary notwithstanding.

XLIV. Provided also, and be it further enacted, That nothing in this Act contained shall give any Power or Authority to the said Company to break up any Soil or Pavement whereon the Market is erected, in the said City of *Oxford*, except with the Consent and under the Direction of the Chancellor, Masters, and Scholars of the said Uni-

The Soil or Pavement of the Market not to be broken up without the Consent of the Chan-

¹ *Sic.*

² The Act here cited is 52 Geo. 3. c. 72 (*supra*). The Commissioners are now represented by the City Council.

A.D. 1818. versity, and the Mayor, Bailiffs, and Commonalty of the cellor, &c. said City, or of the Committee by them appointed for of the Uni- regulating the said Market.
 versity, &c.

No Sewer, XLVIII. Provided always, and be it further enacted, &c. to be That nothing in this Act contained shall in any Manner made in authorize or empower the said Company, or any Person any Place acting in their Behalf, to carry, lay, or put any Sewer, Cut, belonging to the Uni- Main, Trench, or Pipe, or any other Matter or Thing, versity, &c. through or into any Place belonging (whether in their own without Consent. Occupation or otherwise), to the Chancellor, Masters, and Scholars of the said University, or to the Cathedral Church of *Christ in Oxford*, or to any of the said Colleges or Halls, without first obtaining the Consent of the said Chancellor, Masters, and Scholars, or of the said Dean and Chapter, or of such College, under their Common Seal respectively, or in the Case of a Hall, without first obtaining the Consent of the said Chancellor, Masters, and Scholars under their Common Seal, and of the Principal of the said Hall under his Hand.

No Drain XLIX. Provided also, and be it further enacted, That it for carry- shall not be lawful for the said Company to make or cause ing off the shall be made any Drain, Cut, or Sewer, for the Purpose of Washings to be made, carrying off the Washings or other waste Liquid or Materials or the Con- which may flow from or be used in the Prosecution of the tents of any Drain to be Works aforesaid, or to empty or cause to be emptied the emptied, within the Contents of any Drain, Cut, or Sewer, within the said Univer- the University or City, or of¹ the Liberties or Precincts of either of them, without the Consent in Writing of the Chancellor, Masters, and Scholars of the said University, and of the Mayor, Bailiffs, and Common Council of the said City, under their respective Common Seals, first had and obtained.

Recovery LXVII. And be it further enacted, That all Penalties and Appli- and Forfeitures for all and every the Offences in this Act cation of mentioned, in relation to which the Manner of convicting Penalties. the Offenders is not particularly mentioned or directed, shall be adjudged by and recovered before any Justice of the Peace for the said University or City of *Oxford* (as the

¹ *Sic.*

Case may be), in a summary way, by Information upon the Oath of any Person or Persons, or on the Confession of the Party offending (which Oath such Justice is hereby authorized to administer); . . .

LXIX. Saving always to the Chancellor, Masters, and Scholars of the University of *Oxford*, and to all Persons matriculated therein, or being Members thereof, their Rights and Privileges of civil and criminal Judicature and Trial, in the Courts of the said University alone, as the same have been granted by the Charters of the said University, and confirmed by divers Acts of Parliament.

Saving the Rights of the Chancellor, Masters, and Scholars, &c.

LXX. Saving always to the King's most Excellent Majesty, his Heirs and Successors, and to the Chancellor, Masters, and Scholars of the said University, and their Successors, the several Bodies Politic, Corporate, Collegiate, or Sole of the said University, and their Successors, the Mayor, Bailiffs, and Commonalty of the City of *Oxford*, and their Successors, the Commissioners for lighting, cleansing, and paving the said University and City, and their Successors, the Commissioners of Sewers and their Successors, and to the Commissioners of the *Thames* Navigation and their Successors, and all Persons whomsoever, their respective Rights, Privileges, and Franchises, in such and the same Manner as if this Act had not been passed.

General saving of all Rights

[Section 71 declares the Act to be a public Act.]

58^o GEO. III. Cap. 39.

An Act for vesting certain Pieces or Parcels of Land, and other Hereditaments, belonging to *Sidney Sussex* College, in the University of *Cambridge*, in Trustees for Sale, with Powers to lease on Fines, and for applying the Purchase Monies, and Monies to arise from Fines, in Manner therein mentioned.

[10th June 1818.]

[The preamble recites that Samuel Taylor by his will dated the 10th of September, 1726, devised to Sidney

A. D. 1818.

Sussex College certain messuages and lands in the manor of Dudley, Worcestershire, and in Oaken otherwise Oking, and at Tipton Green, Staffordshire, to establish and support with the rents and profits thereof a fellowship in the College the holder of which should 'with constant and great Application and Industry pursue his Study in all Kinds and Sorts of Mathematical Learning, Arts and Sciences', and should lecture at least once a week to members of the College and of other colleges and halls in the University who should please to come, any fellow who neglected to pursue his study and lecture as prescribed to be removed by the Master and Fellows and another elected in his place; that the will further provided that if the College should sell or dispose of the mines of coal, ironstone, or other stone or minerals under the land devised, the sums received should be placed out at interest on good security or invested in lands and tenements, the interest or rents and profits to be applied first in making good any deficiency in the yearly rents of the lands devised caused by working the mines, and the surplus in the maintenance and education of such student or students, scholar or scholars, of the College 'who should principally and in a most particular and especial Manner addict and apply himself and themselves to the Study of the Mathematics, to the End he or they might be a good Proficient or Proficients therein'; that the testator made two codicils neither of which revoked or altered the above devise; that the testator died in or about March, 1732, and the College entered upon the premises devised as tenants in fee simple; that the College filed a bill in Chancery stating the above facts, and that the testator's requirement that the fellow to be established should devote himself constantly to mathematics seemed in some measure incompatible with the design of the foundation of the College and its statutes

which required the fellows to pursue the study and A. D. 1818.
profession of Divinity, and submitting that a lectureship might be established instead of a fellowship ; that a decree was made by the Master of the Rolls on the 24th of July, 1738, ordering the establishment of a lectureship ; that there were unopened mines under the lands in Dudley and that a large consideration or fine might be obtained by a sale or forty years lease of the coal and minerals therein, but the College were advised that they were disabled from selling or granting such lease.

The Act vests the mines under the lands therein and in the Schedule described, being 42^a 3^r 4^p in Dudley, part of the lands devised by the testator, in trustees on trust to sell the said mines with consent of the College or to lease the same at the request of the College for not more than forty years at a peppercorn rent in consideration of a fine or income in money to be paid either at once or by several payments. Provision is made for the payment into the Bank and interim investment of the purchase money fine and income, and for investment of the same, after deducting £4000, in land. The rents and profits of the land purchased are to be applied first in compensating the mathematical lecturer for injury to the soil caused by working the mines, and the surplus in establishing mathematical exhibitions in the College for graduates or undergraduates. The College is authorized to spend £100 yearly of such rents and profits in buying mathematical books and instruments, and to apply the above-mentioned sum of £4000 in erecting a building to contain the books and instruments.]¹

¹ For further provisions as to the Taylor Foundation see 4 Geo. 4. c. 25 (*infra*).

Under the College Statutes of 1881 there are now two lecturers, one in Mathematics and the other in Natural Science, maintained out of the Taylor Lectureship Estate, and twelve scholars elected for proficiency in Mathematics and Natural Science, maintained out of the Taylor Scholarship Estate.

59^o GEO. III. CAP. XXXVI.

A. D. 1819. An Act to repeal certain Acts now in force for regulating the Making and Sale of Bread, out of the City of *London*, and the Liberties thereof, and beyond the Weekly Bills of Mortality, and Ten Miles of the *Royal Exchange*, where no Assize is set; and for establishing other Provisions and Regulations relative thereto.¹

[14th *June* 1819.]

[Section 1 repeals *inter alia* 3 Geo. 3. c. 11 (*supra*) as to places beyond the weekly bills of mortality, &c.

Section 25 is a repetition with immaterial verbal variations of 31 Geo. 2. c. 29. s. 44 (*supra*) saving the jurisdiction of the Universities or their Clerks of the Market with regard to the assize and weight of bread.]

59^o GEO. III. CAP. LXXXI.

An Act to amend an Act of the last Session of Parliament, for appointing Commissioners to inquire concerning Charities in *England* for the Education of the Poor; and to extend the Powers thereof to other Charities in *England* and *Wales*; to continue in force until the First Day of *August* One thousand eight hundred and twenty-three, and from thence until the End of the then next Session of Parliament. [6th *July* 1819.]

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Powers not
to extend
to Uni-

VII. Provided always, and be it enacted, That this Act or any of the Provisions therein contained shall not extend

¹ This Act so far as it related to the weight of bread and to the punishment of bakers or sellers of bread who sold it deficient in weight was repealed by 1 & 2 Geo. 4. c. 50. s. 1 (*infra*). The residue was repealed by 6 & 7 Will. 4. c. 37. s. 1 (*infra*).

or be construed to extend to either of the Universities of *Oxford* or *Cambridge*, nor to any College or Hall within the same; nor to any Schools or other Endowments of which the said Universities, Colleges, or Halls, are Trustees; nor to the Colleges of *Westminster*, *Eton*, or *Winchester*; nor to the *Charter-house*; nor to the Schools of *Harrow* or *Rugby*, or any of them; nor to any Cathedral or Collegiate Church within *England* or *Wales*; nor to the Corporation of the *Trinity House* of *Deptford Strond*; nor to any College, Free School, or other charitable Institution, or Donation or Charity whatever, which has Special Visitors, Governors or Overseers, appointed by the Founders; nor to any Funds applicable to the Benefit of any Persons of the Jewish Persuasion, or of the People called Quakers, or of Persons of the Roman Catholic Persuasion, and which shall be under the Superintendence and Controul of Persons of such Persuasions respectively: Provided always, that the said Commissioners shall report the Names of all such Charities aforesaid as have Special Visitors, Governors, or Overseers appointed, to His Majesty, and both Houses of Parliament.

A. D. 1819.
versities,
Public
Schools,
&c.

[Section 12 provides that 58 Geo. 3. c. 91 (*supra*) and this Act shall continue in force till the 1st of August, 1823, and from thence to the end of the then next Session of Parliament.¹]

59^o GEO. III. *Cap.* lxxviii.

An Act for altering and enlarging the Powers of Two Acts of His present Majesty, for draining and preserving certain Fen Lands and Low Grounds lying in the *South Level*, Part of the Great Level of the Fens called *Bedford Level*, and in the County of *Cambridge*, between the

¹ This Act was continued by 5 Geo. 4. c. 58 for four years from its expiration and from thence to the end of the then next Session of Parliament, and was further continued by 10 Geo. 4. c. 57 till the 1st of July, 1830, on which day it expired. See 1 & 2 Will. 4. c. 34 (*infra*).

A. D. 1819. River *Cam* otherwise *Grant*, West; and the Hardlands of *Bottisham*, *Swaffham-Bulbeck*, and *Swaffham-Prior*, East; and for other Purposes therein mentioned. [14th June 1819.]

Bursars of
Colleges
for the
Time being
to be Com-
missioners.

III. And whereas the Master, Fellows, and Scholars of the College of *Saint John the Evangelist*, the Provost and Scholars of *King's College*, and the Master, Professors, and Fellows of *Downing College*, in the University of *Cambridge*, are respectively seised of a greater Number of Acres of Land, taxed and charged in and by the said recited Acts,¹ than are requisite to constitute a Commissioner under this Act and the said recited Acts: Be it therefore enacted, That the Bursar for the Time being of the said College of *Saint John the Evangelist*, and One of the Three Bursars for the Time being of *King's College* aforesaid, and also the Bursar for the Time being of *Downing College* aforesaid, shall from Time to Time for ever hereafter be, and they are hereby severally constituted and appointed Commissioners of Drainage under this Act and the said recited Acts, for and in respect of the Lands of their said respective Colleges, charged or to be charged with the Drainage Tax, under and by virtue of this Act or the said recited Acts, or any of them; and as such Bursars they are hereby severally constituted and appointed Commissioners of Drainage, under this Act and the said recited Acts, and as such they are hereby severally invested with and declared to have and enjoy the like Powers and Authorities, and shall be subject and liable to the same Rules, Regulations, Penalties, and Forfeitures, as each of the other Commissioners under this Act and the said recited Acts.²

¹ 7 Geo. 3. c. 53 and 19 Geo. 3. c. 34.

² This Act and the two recited Acts were repealed by 16 & 17 Vict. c. lxi. s. 2 (*infra*).

59^o GEO. III. Cap. lxxxiv.

An Act to continue and amend Three Acts for A. D. 1819.
repairing the Roads from *Fryer Bacon's Study* to
Chilton Pond, and from the Top of *Hinksey Hill*
to *Foxcombe Hill Gate*, in the Road leading to
Farrington, in the County of *Berks*, so far as
relates to the *Oxford* District of the said Roads.

[14th June 1819.]

[Section 1 recites and continues 29 Geo. 2. c. 81 (*supra*),
18 Geo. 3. c. 99 (*supra*), and 38 Geo. 3. c. 65, so far as
they relate to the 'Oxford District' together with this
Act for the term thereafter provided, namely twenty-
one years from the passing of this Act and from thence
to the end of the then next Session of Parliament
(s. 34).¹

Section 2 appoints new trustees who include all the
ex officio trustees appointed by 18 Geo. 3. c. 99, except
the Dean and Canons of Christ Church, for whom are
substituted 'the acting Justices of the Peace for the
said Counties of *Oxford* and *Berks* for the Time being'.

Section 30, after reciting the provisions of 18 Geo. 3. c. 99
authorizing the Clerk to the Trustees to receive the
Mileway moneys payable by certain parishes and town-
ships, and in default of payment thereof to levy the
same by distraining on the Surveyor of Highways,
that the township of Grandpond was in arrear for nine
years, and the parish or township of Kennington for
two years, but that no Surveyors of Highways for
these places had been appointed for some years past ;
empowered the Clerk to the Trustees in the case of
any parish or township liable to pay mileway money
for which no surveyor of highways should be appointed
to levy the mileway money directly from any one of
the farmers or occupiers of land in such parish or

¹ This Act was continued by Annual Turnpike Acts Continuance Acts till
the 1st of November, 1867, the date fixed by 29 & 30 Vict. c. 105 and con-
firmed by 30 & 31 Vict. c. 121 for its expiration.

A. D. 1819. township; in case of default a distress warrant to be issued by a Justice of the Peace, and the farmer paying or distrained upon to have the like power of reimbursing himself as the surveyor would have had. Section 33 declares the Act to be a public Act.]

60^o GEO. III. & 1 GEO. IV. CAP. VI.

An Act for more effectually preventing Seditious Meetings and Assemblies; to continue in force until the End of the Session of Parliament next after Five Years from the passing of the Act.

[24th December 1819.]

[Sections 26-32 contain a prohibition as to lectures, discourses, and public debates in any place not licensed, similar to that in 57 Geo. 3. c. 19 (*supra*), and s. 31 is a *verbatim* repetition (except for the substitution of 'the United Kingdom' for 'these Kingdoms') of s. 20 of that Act so far as regards the Universities, and differs as to other institutions and persons only by mentioning 'public readings' as well as lectures and discourses.

Section 40 provided that the Act should continue in force for five years from its passing and until the end of the then next Session of Parliament.]

1^o GEO. IV. Cap. 33.

A. D. 1820. An Act for enabling the President and Scholars of *Saint John Baptist* College, in the University of *Oxford*, to sell and convey to the Trustees of the Will of Doctor *John Radcliffe*, a Piece of Ground in the Parish of *Saint Giles* in the Suburbs of the City of *Oxford*, and the Observatory and other Buildings thereon, and for laying out the Purchase Money in the Purchase of Lands, and for other Purposes. [15th July 1820.]

[The Act recites that the Radcliffe Observatory, Observer's residence and various outbuildings and appurtenances had been erected on a piece of ground containing nine acres and thirty-two perches held by the Radcliffe Trustees from St. John's College on a lease for twenty years usually renewed every seven years; and that the trustees had agreed with the College for the purchase of the piece of ground for £1840.

The Act then authorizes the College to convey the piece of ground to the Radcliffe Trustees; the purchase money, together with £60 compensation for costs to be incurred in investing the purchase money with the sanction of the Court, to be paid into the Bank of England and invested in Exchequer Bills until laid out under direction of the Court of Chancery in the purchase of other lands.]

1^o & 2^o GEO. IV. CAP. XLVIII.

An Act to amend the several Acts for the Regulation of Attornies and Solicitors.¹ [8th June 1821.]

WHEREAS by an Act passed in the Second Year of the Reign of His late Majesty King *George* the Second, intituled *An Act for the better Regulation of Attornies and Solicitors*, it was among other Things enacted, that from and after the Time in the said Act mentioned, no Person should be permitted to act as an Attorney or Solicitor respectively, in any of the Courts of Law or Equity in *England* in the said Act mentioned, unless such Person should have been bound by Contract in Writing to serve as a Clerk for and during the Space of Five Years

¹ The whole of this Act 'except so far as the Attornies and Solicitors of Ireland are affected thereby' was repealed by 6 & 7 Vict. c. 73, s. 1. Sched. 1 (*infra*). So far as affected Ireland, having been superseded by subsequent legislation (see 24 & 25 Vict. c. 68 (*infra*) and 29 & 30 Vict. c. 84 (*infra*)) it was formally repealed by the Statute Law Revision Act, 1891.

A. D. 1821. to an Attorney or Solicitor respectively, duly and legally sworn and admitted, as in the said Act is directed, in some or one of the Courts of Law or Equity in *England* in the said Act mentioned; and that such Person for and during the said Term of Five Years should have continued in such Service: And whereas by an Act passed in the Twenty-second Year of the Reign of His said late Majesty King *George* the Second, for making further Regulations (among other Things) with respect to Attornies and Solicitors, it was enacted, that every Person who should so have been bound to serve any Attorney or Solicitor should, during the whole Time of such Service, continue and be actually employed by such Attorney or Solicitor, or his or their Agent or Agents, in the proper Business, Practice, or Employment of an Attorney or Solicitor; and also, that every Person bound as a Clerk as aforesaid, should, before being admitted an Attorney or Solicitor, cause an Affidavit of himself, or of such Attorney or Solicitor to whom he was bound, to be duly made and filed, that he had actually and really served and been employed in manner aforesaid, during the said whole Term of Five Years: And whereas by an Act passed by the Parliament of *Ireland* in the Seventh Year of the Reign of His Majesty King *George* 7 G. 2 (I.).¹ the Second, intituled *An Act for the Amendment of the Law in relation to Popish Solicitors, and for remedying other Mischiefs in relation to the Practitioners in the several Courts of Law and Equity*, it was enacted, that no Person should be admitted an Attorney, or licensed to be a Solicitor, who shall not have served an Apprenticeship for the Space of Five Years at least, to a Six Clerk of the High Court of Chancery in *Ireland*, or to a Six Clerk of the High Court of Chancery in *England*, or to an Attorney of one of the other Courts in *Ireland*, or to an Attorney or Solicitor duly admitted or licensed in that Kingdom, or in *England*: And whereas it may happen that Persons who have taken or may take the Degree of Bachelor of Arts or of Law, in either of the Universities

¹ c. 5.

of *Oxford* or *Cambridge*, or of *Dublin*, may afterwards be desirous of becoming Attornies or Solicitors, but may be deterred by the Length of Service required for that Purpose by the said recited Acts; and it is expedient that the Admission of such Graduates should be facilitated, in consideration of the Learning and Abilities requisite for the taking such Degree: And whereas it would tend to the better qualifying of Persons to act as Attornies and Solicitors if Part of the said Service of Five Years were allowed to be performed in manner herein-after mentioned; be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act, in case any Person who shall have taken or who shall take the Degree of Bachelor of Arts or Bachelor of Law, either in the University of *Oxford*, or in the University of *Cambridge*, or in the University of *Dublin*, shall, at any Time after he shall have taken or shall take such Degree, be bound by Contract in Writing to serve as a Clerk, for and during the Space of Three Years, to an Attorney or to a Solicitor, or to a Six Clerk duly and legally sworn and admitted under the Provisions and Directions of the said recited Acts of the Second Year and Seventh Year of the Reign of King *George* the Second, or of this Act, or of any other Act or Acts in force for the Regulation of Attornies and Solicitors, in some or One of the Courts of Law or Equity in the said recited Acts mentioned, and during the said Term of Three Years shall continue in such Service, and during the whole Time of such Three Years Service, shall continue and be actually employed by such Attorney or Solicitor, or Six Clerk, or his or their Agent or Agents, in the proper Business, Practice, or Employment of an Attorney or Solicitor, and shall also cause an Affidavit, or being one of the People called Quakers, a solemn Affirmation of himself, or of such Attorney or Solicitor, or Six Clerk to whom he was bound as aforesaid, to be

A. D. 1821.
Any Person who has taken a Degree at Oxford, Cambridge, or Dublin, may act as an Attorney or Solicitor, after having served a Clerkship of Three Years.

A. D. 1821. duly made and filed, that he hath actually and really so served and been employed during the said whole Term of Three Years, in like manner as is required by the said recited Acts of the Second Year, and of the Seventh Year, and of the Twenty-second Year of the Reign of King *George* the Second, with respect to Persons by the said Acts required to serve for the Term of Five Years, shall and may be qualified to be sworn, or to take his solemn Affirmation, and to be admitted and inrolled as an Attorney or Solicitor respectively (according to the Nature of his Service) in the several and respective Courts of Law or Equity, as fully and effectually to all Intents and Purposes, as any Person having been bound and having served Five Years, is qualified to be sworn, or to take his solemn Affirmation, and to be admitted or inrolled under or by virtue of the said recited Acts, or any other Act or Acts for the Regulation of Attornies or Solicitors in *England*; any thing in the said Acts, or any of them, to the contrary in anywise notwithstanding.

41 G. 3.
c. 79. not
to extend
to the
Registrars
or Solici-
tors of the
Univer-
sities, &c.

III. And whereas an Act was made in the Forty-first Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for the better Regulation of Public Notaries in England*, be it enacted, That nothing in the said Act contained shall extend, or be construed to extend, to the Registrars or Solicitors of the Universities of *Oxford* and *Cambridge*, or to the Steward or Solicitors of any College or Hall within the said Universities, or to the Chapter Clerk of any Cathedral or Collegiate Church, acting only as such Registrars, Solicitors, Stewards, or Chapter Clerks,

This Act
to extend
only to
Bachelors
of Arts
who have
taken their
Degrees
within the
Periods
herein
mentioned,
&c.

IV. Provided always, and be it enacted, That nothing in this Act contained shall extend, or be construed to extend, to any Person who shall have taken or shall take such Degree of Bachelor of Arts, unless such Person shall have taken or shall take such Degree within Six Years next after the Day when such Person shall have been or shall be first matriculated in the said Universities respectively; nor to any Person who shall take or shall have taken such

Degree of Bachelor of Law¹ within Eight Years after A. D. 1821. such Matriculation; nor to any Person who shall be bound, by Contract in Writing, to serve as a Clerk to any Attorney, Solicitor, or Six Clerk, under the Provisions of this Act, unless such Person shall be so bound within Four Years next after the Day when such Person shall have taken such Degree.

1^o & 2^o GEO. IV. CAP. L.

An Act to alter and amend an Act made in the Fifty-ninth Year of the Reign of His late Majesty King *George* the Third, intituled *An Act to regulate the Making and Sale of Bread out of the City of London, and the Liberties thereof, and beyond the Weekly Bills of Mortality and Ten Miles of the Royal Exchange, where no Assize is set; and for establishing other Provisions and Regulations relative thereto.*² [8th June 1821.]

[Section 1 repeals 59 Geo. 3. c. 36 (*supra*) 'so far as the same relates to the Weight of Bread, and to the Punishment of Bakers or Sellers of Bread who shall sell the same deficient in its due Weight'.

Sections 2–23 make provisions as to adulteration, weights, and Sunday baking, and the recovery of penalties for breaches of the Act.

Section 24 is a repetition with immaterial verbal variations of 31 Geo. 2. c. 29. s. 44 (*supra*) saving the jurisdiction of the Universities or their Clerks of the Market with regard to the assize and weight of bread.]

¹ After the word 'Law' words to the following effect were omitted by mistake 'unless such Person shall have taken or shall take such last-mentioned Degree'. See amending Act, 3 Geo. 4. c. 16 (*infra*).

² This Act was repealed by 6 & 7 Will. 4. c. 37. s. 1 (*infra*).

3^o GEO. IV. CAP. XVI.

A. D. 1822. An Act to amend an Act, made in the last Session of Parliament, for amending the several Acts for the Regulation of Attornies and Solicitors.¹

[3d April 1822.]

1 & 2 G. 4.
c. 48.²

WHEREAS by an Act made in the last Session of Parliament, intituled *An Act to amend the several Acts for the Regulation of Attornies and Solicitors*, it is among other Things provided and enacted, that nothing in the said Act contained shall extend or be construed to extend to any Person who shall take or shall have taken such Degree of Bachelor of Law as in the said Act is contained within Eight Years after such Matriculation as in the said Act is mentioned: And whereas by Mistake certain Words were omitted in the said Proviso and Enactment, and it is expedient that the said Proviso and Enactment should be amended in manner herein-after mentioned; be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, and it is hereby enacted and provided, That nothing in the said Act contained shall extend or be construed to extend to any Person who shall take or shall have taken such Degree of Bachelor of Law as in the said Act is mentioned, unless such Person shall have taken or shall take such last-mentioned Degree within Eight Years after such Matriculation as in the said Act is mentioned; and that so much of the said recited Act shall be repealed whereby it is provided and enacted, that nothing in the said Act contained shall extend or be construed to extend to any

Recited
Act not to
extend to
Persons
taking the
Degree of
Bachelor
of Law,
unless such
Persons
shall have
taken such
Degree
within
Eight
Years after
Matricula-
tion.

¹ The whole of this Act 'except so far as the Attornies and Solicitors of Ireland are affected thereby' was repealed by 6 & 7 Vict. c. 73. s. 1. Sched. 1 (*infra*). As regards Ireland, having been superseded by subsequent legislation (see 24 & 25 Vict. c. 68 (*infra*) and 29 & 30 Vict. c. 84 (*infra*)) it was formally repealed by the S. L. R. Act, 1891.

² *Supra*.

Person who shall take or shall have taken such Degree A. D. 1822. of Bachelor of Law within Eight Years after such Matriculation, and so much of the said recited Act is hereby repealed accordingly.

3^o GEO. IV. CAP. LXXVII.

An Act for amending the Laws for regulating the Manner of licensing Alehouses in that Part of the United Kingdom called *England*, and for the more effectually preventing Disorders therein.¹

[26th July 1822.]

[The Act regulates the procedure for the granting of licences by Justices.]

XXV. Provided always, and be it further enacted, That nothing in this Act contained shall extend to alter or in any manner to affect any of the Rights or Privileges of the Universities of *Oxford* or *Cambridge*, or the Powers of the Chancellors or Vice Chancellors of the same, as by Law possessed under the respective Charters of the said Universities. Universities not affected.

3^o GEO. IV. Cap. 17.

An Act to authorize the Sale and Conveyance of Ground for the Enlargement of the Public Library and Lecture Rooms in the University of *Cambridge*, and for the Erection of an Astronomical Observatory in or near the said University, and of a Museum for the Preservation of the Pictures, Books, and other Articles bequeathed to the

¹ By s. 26 it was provided that the Act should continue for three years and to the end of the then next session of Parliament. It was further continued by 7 Geo. 4. c. 65 and 7 & 8 Geo. 4. c. 48, the last continuance being till the 1st of June, 1828, and to the end of the then next session.

A. D. 1822. Chancellor, Masters, and Scholars of the said University by *Richard Viscount Fitzwilliam* deceased.
[24th June 1822.]

[The Act recites 6 Geo. 1. c. 31 (*supra*), and that purchases of houses and land had been made thereunder and the library considerably enlarged, but that it was now too small for its requirements; that more lecture rooms were needed for professors; and that an Observatory was required.

It further recites the will dated the 18th of August, 1815, of Richard Viscount Fitzwilliam (who died on the 5th of February, 1816), bequeathing to Cambridge University all his Capital Stock in the New South Sea Annuities, and all his pictures, portraits, prints, drawings and engravings, books, printed, engraved, or manuscript, music, busts, statues, medals, gems, precious stones, and bronzes, and directing a museum to be built by the University and the cost of purchasing the site and erecting and maintaining the building and of the salaries of all proper Officers to be paid out of the annual proceeds of the annuities bequeathed.

The Act then authorizes the University to purchase, and bodies politic corporate or collegiate and others under disability to sell, lands required for enlarging the Public Library, providing Lecture Rooms, building an Astronomical Observatory, and a Museum to contain the Fitzwilliam collections, the lands purchased not to exceed fourteen acres. A form of conveyance is prescribed and provision is made for the application of the purchase money in the case of vendors under disability.

Section 9 authorizes the University to resell land purchased under the Act and not used for the above purposes.]

4^o GEO. IV. *Cap. 11.*

An Act for effecting an Exchange between the A. D. 1823.
Provost and Scholars of the *King's College* of
Blessed Mary and *Saint Nicholas* of Cambridge,
and the Master or Keeper, Fellows and Scholars
of the College or Hall commonly called *Clare*
Hall, in the University of *Cambridge*.

[30th May 1823.]

[The Act recites that King's College are seised of a parcel of ground called 'Butt Close' in the occupation of Clare Hall; and Clare Hall are seised of a piece of land forming part of the Chapel Yard of King's College, and also of the White Horse Inn in Trumpington Street, the latter property being subject to the trusts of the will of Thomas Pyke for the maintenance of three scholarships of £10 a year each; and that the Colleges desire to effect an exchange of the above properties respectively held by them, King's College paying £100 for equality of exchange.

The Act then vests from and after the passing thereof 'Butt Close', as described in the First Schedule, in Clare Hall subject to the trusts of Thomas Pyke's will, and subject to a proviso empowering King's College 'to make, put up, and maintain a Cheveau de Frieze or other Iron Fence on the South Side of the Walk-part of the said Close, and also to make, put up, and maintain a Sluice across the Ditch at the West End of the said Walk, so as to keep up the Water therein on the South Side of the same Sluice to any Height which the said Provost and Scholars or their Successors shall think proper'.

Section 2 vests from the same date in King's College the piece of land in their Chapel Yard and the White Horse Inn, as described in the Second Schedule, freed and discharged as respects the said Inn from the trusts of Thomas Pyke's will.

A. D. 1823. The remaining sections direct the payment and investment of the £100 above mentioned, and contain other usual provisions.]

The FIRST SCHEDULE referred to by this Act.

Description.	Quantity.	Occupiers.	Value.
A Parcel of Ground in the Town of Cambridge called Butt Close, bounded on the North by Gerard's Hostle Lane, on the East by the River Cam, and on the South and West by Grounds belonging to the Provost and Scholars of King's College.	A. R. P. 2 2 34	Master, Fellows, and Scholars of Clare Hall.	£ 2,400

Chas. Humfrey.

The SECOND SCHEDULE referred to by this Act.

Description.	Occupiers.	Value.
A small Parcel of Ground in Cambridge whereupon Part of the ancient Building or Foundation of Clare Hall formerly stood, now forming Part of the Chapelyard of King's College, situate next to the Stone Wall belonging to Clare Hall aforesaid on the Part of the North, and continuing in Length from the new Building of Clare Hall by the said Stone Wall 70 Feet towards the East, and in Breadth from the said Stone Wall by the said new Building of Clare Hall aforesaid, 50 Feet towards the South.	Provost and Scholars of King's College.	£ 2,500
A Messuage or Tenement called the White Horse Inn, with the Houses, Outhouses, Stables, Buildings, Yards, Rights, and Appurtenances thereto belonging, situate in Trumpington Street, in the Parish of Saint Benedict in the Town of Cambridge.	Now or late Richard Foster and others, and the Master, Fellows, and Scholars of Clare Hall.	

Chas. Humfrey.

4^o GEO. IV. *Cap. 25.*

An Act to amend an Act passed in the Fifty-eighth A. D. 1823.

Year of the Reign of His late Majesty King George the Third, intituled *An Act for vesting certain Pieces or Parcels of Land and other Hereditaments, belonging to Sidney Sussex College in the University of Cambridge, in Trustees for Sale, with Powers to lease on Fines, and for applying the Purchase Monies, and Monies to arise from Fines, in manner therein mentioned.*

[4th July 1823.]

[The Preamble recites the Act 58 Geo. 3. c. 39 (*supra*), and further that the mines to which that Act applied have been leased for forty years from the 29th of November, 1818, by two leases, one of part of the said mines in consideration of a fine of £18,250, and the other of the residue for a fine of £11,500, such fines being payable by instalments the last of which will be due on the 24th of June, 1832, and the 29th of September, 1826, respectively; that the College has proceeded in erecting a mathematical library as directed by the recited Act and has incurred expenses thereby of £5000, being £1000 more than the sum made applicable for the purpose; that it would tend to promote the testator's design if rooms were provided for the residence of the mathematical exhibitors the cost of which is estimated at £3500; that by an Order of the Court of Chancery of the 13th of February, 1823, it was referred to the Master to report whether it was proper that the College should apply to Parliament to amend the recited Act and that the Master reported in favour of such application.

The Act then empowers the Court of Chancery to pay

A. D. 1823.

to the College out of the money received under the recited Act a sum not exceeding £4500 in to the £4000 previously authorized, to be applied in defraying the remainder of the expenses incurred in regard to the library, and the expenses to be incurred in erecting and fitting up rooms for the residence of the mathematical Exhibitioners.

Section 2 authorizes the appointment of a librarian or librarians at a salary or salaries not exceeding in the whole £100 a year payable out of the surplus rents and profits of the estates to be purchased.]

5^o GEO. IV. CAP. XXXVI.

A. D. 1824. An Act to amend and render more effectual the several Acts for the issuing of Exchequer Bills for Public Works.¹ [17th May 1824.]

Loans may be made in like manner to Colleges in the Universities of Oxford or Cambridge for increasing the Number of Apartments for Students, on Application to

IV. And whereas Applications have been made to the Commissioners for the Execution of the said recited Acts,² for Advances to be made to certain Colleges for the Purpose of enabling them to increase the Number of Apartments for Students within such Colleges respectively, so as to avoid the Necessity of many Students having Lodgings out of such Colleges ; but Doubts are entertained whether the said Commissioners are authorized to make Advances for such Purposes, and whether such Colleges can give any adequate Security for the Repayment of such Advances under the Provisions of the said recited Acts ; be it therefore enacted, That from and after the passing of this Act, upon any Application on behalf of any College or Hall in

¹ This Act was repealed by 38 & 39 Vict. c. 89. s. 57.

² 57 Geo. 3. c. 34 and c. 124, 1 Geo. 4. c. 60, and 3 Geo. 4. c. 86. These Acts empowered the Commissioners appointed thereby to make advances to persons or corporations for public works authorized by parliament, or for encouragement of fisheries, collieries or mines, or drainage ; or to parishes on the security of the rates.

either of the Universities of *Oxford* or *Cambridge*, made in Writing under the Common Seal of such College or Hall, (duly affixed by the Authority of such Person or Persons as may for the Time being be empowered, by the Statutes of any such College or Hall respectively, to use or affix such Common Seal to Leases or other Deeds or Instruments in Writing), it shall be lawful for the Commissioners for the Execution of the said recited Acts, and such Commissioners are hereby authorized and empowered to make any Loan or Advance under the Powers, Authorities, Provisions, and Regulations of the said recited Acts, of any Sum or Sums in Exchequer Bills or Money for the building, rebuilding, enlarging, improving, or fitting up any such additional or existing Rooms, Buildings, and Offices as may by such Commissioners be deemed requisite and necessary for the Purpose of increasing the Accommodation of the Students of any such College or Hall respectively, in like Manner in every respect as if such Colleges and Halls had been included in the Provisions of the said recited Acts, or any of them; and it shall be lawful for the Treasurer, Bursar, or other proper Officer of any such College or Hall to receive any Sums so advanced for the Purposes aforesaid; and it shall be lawful for the proper Officers or Members of any such College or Hall respectively, and they are hereby authorized and required, under the Common Seal of any such College or Hall respectively, to mortgage, assign, and make over the Rents and Profits which shall arise from such additional or existing Rooms so to be built, rebuilt, enlarged, improved, and fitted up, or to mortgage, assign, and make over any other Rents, Revenues, or Receipts which shall be payable and belonging to any such College or Hall respectively, or any Part of the same, to such Person or Persons, and in such Manner and Form as the said Commissioners shall direct and appoint, so as to secure the Repayment of all Sums so advanced for such Purposes, with Interest thereon at the Rate of Four Pounds *per Centum per Annum*, by Annual or Half-yearly Instalments, on the Principal Money

A. D. 1824.
the Com-
missioners,
and the
Profits of
such
Apart-
ments
shall be
mortgaged
for the
Repayment
within 20
Years with
Interest at
Four per
Cent.

A. D. 1824. advanced, within the Period of Twenty Years at farthest from the advancing thereof, or at such Times not exceeding the said Period of Twenty Years, and in such Manner as the said Commissioners shall think fit to appoint; and all such Mortgages and Assignments shall be good and effectual in the Law, and binding on the said Colleges and Halls entering into the same, and their Successors, as Bodies Corporate; any Charter, Statute, Law, Rule, or Regulation of or relating to any such College, or any general or particular Law, Statute, Usage, or Custom to the contrary in anywise notwithstanding.

Act not to empower Colleges to mortgage their Revenues otherwise than to the Commissioners for the Purposes herein-mentioned.

V. Provided always, and be it enacted, That nothing in this Act contained shall extend or be construed to extend to grant to any College or Hall, to which any such Advances shall be made under the Authority of this Act, any Power or Authority whatsoever to mortgage or pledge the Rents, Revenues, or Receipts of any such College or Hall, otherwise than to the said Commissioners for the Execution of the said recited Acts, in the Manner and for the Purposes in this Act mentioned and specified.

5^o GEO. IV. CAP. L.

An Act for amending an Act passed in the Fifty-third Year of the Reign of His late Majesty King George the Third, intituled *An Act to alter and amend Two Acts of the Thirty-first Year of the Reign of King George the Second, and the Thirteenth Year of His present Majesty, so far as relates to the Price and Assize of Bread to be sold out of the City of London and the Liberties thereof, and beyond the Weekly Bills of Mortality, and Ten Miles of the Royal Exchange.*¹

[3d June 1824.]

¹ This Act was repealed by 6 & 7 Will. 4. c. 37. s. 1 (*infra*).

[Section 1 amends 53 Geo. 3. c. 116 (*supra*).

A. D. 1824.

Section 2 is a repetition with immaterial verbal variations of 31 Geo. 2. c. 29. s. 44 (*supra*) saving the jurisdiction of the Universities or their Clerks of the Market with regard to the assize and weight of bread.]

5^o GEO. IV. CAP. LIV.

An Act to repeal the Duties on Licences to brew and to retail Beer, Spirituous Liquors, and Foreign Wine, and to grant other Duties in lieu thereof; and amend the Laws of Excise relating to such Duties, and to Brewers and Retailers of Beer.¹

[4th June 1824.]

[Section 6 provides that Excise licences shall be granted by the Commissioners of Excise and their Officers.]

. . . Provided also, that within the Limits of the Universities of *Cambridge* and *Oxford*, all Persons applying for such Licences shall apply to the Persons heretofore granting Common Ale Licences, who shall or may grant the same, in the same Manner and according to the same Rules and Usages by which they have been accustomed to grant the said last-mentioned Licences; any thing in this or any other Act or Acts of Parliament to the contrary thereof notwithstanding.²

Within the Limits of the Universities of Cambridge and Oxford, Licences to be granted as heretofore.

5^o GEO. IV. Cap. xcix.

An Act for repairing certain Roads between *Stokenchurch* and the Borough of *New Woodstock* in the County of *Oxford*, and several other Roads communicating therewith. [3d June 1824.]

¹ Section 6 was repealed by 33 & 34 Vict. c. 29. s. 16.

² As to the licensing of Alehouses in Cambridge see note to 19 & 20 Vict. c. xvii (*infra*).

A. D. 1824. [Section 1 repeals 18 Geo. 3. c. 91 (*supra*) and 29 Geo. 3. c. 90.

Section 2 incorporates the powers and provisions of the General Turnpike Acts, 3 Geo. 4. c. 126 and 4 Geo. 4. c. 95.

Section 5 appoints trustees for executing the Act, who do not include the Vice Chancellor or any other University Official as such.]

Trustees to
repair the
Mileways
adjoining
the Road.

XXXI. And whereas by an Act made in the Eighteenth Year of the Reign of Queen *Elizabeth*, for the repairing and amending of the Bridges and Highways near unto the City of *Oxford*,¹ and by another Act made in the Thirty-fifth Year of the Reign of the same Queen, for the Reviving, Continuance, Explanation, and Perfecting of divers Statutes² (which said Acts are continued indefinitely by Two other Acts, One made in the Third and the other made in the Sixteenth Year of the Reign of King *Charles* the First³), it is provided and enacted, that every Person having One Yard Land or more in his Possession, lying within Five Miles of the University and City of *Oxford*, or the Franchises of the same, shall for every Yard Land perform such personal Duty as in the said Act is mentioned, or in lieu thereof shall make certain annual Payments specified in the said Act, unto the Vice Chancellor and Mayor of the same University and City for the Time being, or their Deputy or Deputies, towards the amending of the Bridges and Highways lying and being within One Mile of the said City of *Oxford*: And whereas Two of such Highways or Mileways adjoin or communicate with the Roads to be repaired and amended by virtue of this Act, on the East and North Sides of the said City; (*videlicet*) the Mileway leading from the *Dorchester* Mileway near *Magdalen* College, and the Mileway leading by or from *Saint Giles'* Church towards *Woodstock*: And whereas the Provision made by the said Acts having been found insufficient for the Repair

¹ 18 Eliz. c. 20 (*supra*).

² 35 Eliz. c. 7 (*supra*).

³ 3 Car. I. c. 5 [c. 4., Ruff.], and 16 Car. I. c. 4.

of the said Mileways, Part of the said first-mentioned Mileway, and the Whole of the said second mentioned Mileway, have been, under certain Provisions contained in the herein-before recited Act of the Eighteenth Year of the Reign of His said late Majesty King *George* the Third, repaired and maintained by the Trustees of the said Roads, and it will be most convenient that the same should be continued to be repaired and maintained by the Trustees for carrying this Act into Execution: Be it therefore enacted, That the said Trustees shall and may, during the Continuance of this Act, by and from the Tolls hereby granted, repair amend, and maintain so much of the said Mileway as extends from the North End of *Cheyney Lane* in the said Parish of *Saint Clement*, to the North-west End of the said Mileway near *Saint Clement's* Church, and the said Mileway leading from or by *Saint Giles'* Church, towards *Woodstock* aforesaid.

XXXII. Provided always, and be it further enacted, That nothing herein contained shall extend or be construed to extend to give the said Trustees, or any of them, any Power or Authority, other than and except the Power and Authority to repair herein-before provided for and enacted, over the said Mileways or the Lands adjoining to the same, other than and except such Power and Authority as the Vice Chancellor and Mayor of the said University and City, or their Deputy or Deputies, might or could have exercised by virtue of the said Acts of Parliament of the Eighteenth Year of the Reign of Queen *Elizabeth*, and the Third and Sixteenth Years of the Reign of King *Charles*, herein-before recited; any thing herein contained to the contrary thereof notwithstanding.

XXXIII. Provided always, and be it further enacted, That so much of the said Mileways as are herein-before directed to be repaired by the said Trustees shall, from and after the passing of this Act, be subject to the Regulations, Powers, and Provisions of the said herein-before recited Acts of the Third and Fourth Years of the Reign of His present Majesty, so far as respects Nuisances, Annoyances,

A. D. 1824.
Limiting
Power of
Trustees
over the
Mileways.

Mileways
to be under
Direction
of 3 and 4
G. IV.
as to
Nuisances,
&c.

A. D. 1824. and Trespasses; and the Justices of the Peace acting for the said County of *Oxford* are hereby authorized and empowered to enforce all Penalties for Nuisances, Annoyances, and Trespasses, on such Parts of the said Mileways as shall be repaired under the Power for that Purpose herein-before contained; provided also, that nothing in this Act contained shall extend or be deemed or construed to extend to take away, diminish, or impede the Exercise of any Privilege or Right whatsoever of the said University of *Oxford*, or of any of the Magistrates, Officers, Ministers, or Servants thereunto belonging, or of any Privilege or Right whatsoever of the said City of *Oxford*, or of any of the Magistrates, Officers, or Servants thereunto belonging.

[Section 34 declares the Act to be a Public Act.

Section 35 enacts that the Act shall continue in force from the passing thereof for the Term of twenty-one years, and from thence to the end of the then next Session of Parliament.¹]

6^o GEO. IV. CAP. LXXXI.

A. D. 1825. An Act to repeal several Duties payable on Excise Licences in *Great Britain* and *Ireland*, and to impose other Duties in lieu thereof; and to amend the Laws for granting Excise Licences.

[27th June 1825.]

[This Act regulates the granting of Excise Licences, superseding previous legislation.]

Nothing in this Act contained to prejudice the Universities, . . .

XXX. Provided always, and be it further enacted, That nothing in this Act contained shall in anywise prejudice the Privileges heretofore used and enjoyed by any University in the United Kingdom of *Great Britain* and *Ireland*, or the respective Chancellors or Scholars of the same respectively, or their Successors, . . .

¹ This Act was repealed by 8 & 9 Vict. c. xxx (*infra*).

[Section 33 repeals from the 5th of July, 1825, all provisions in force relating to excise which are expressly repealed altered or re-enacted by that Act, or are repugnant to or inconsistent with its provisions.] A. D. 1825.

6^o GEO. IV. CAP. XCVII.

An Act for the better Preservation of the Peace and good Order in the Universities of *England*.¹

[5th July 1825.]

WHEREAS it is expedient to add to the Means anciently provided for maintaining Peace and good Order in the Universities of *Oxford* and *Cambridge*: Be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That it shall be lawful for the Chancellor or Vice Chancellor of the said Universities respectively, to appoint such Number of able Men as he shall think fit to be Constables in and for the said Universities respectively, who shall continue in Office either during good Behaviour or during Pleasure, or for such Period of Time, either defined or dependant on future Circumstances, as such Chancellor or Vice Chancellor shall direct; and to every Man so appointed such Chancellor or Vice Chancellor shall administer an Oath well and faithfully to execute the Office of Constable, within the Precincts of the University for which he shall be appointed, during his Continuance in Office, and shall deliver to every such Man a Certificate of his having been so sworn, expressing the Duration of his Continuance in Office, which Certificate shall be Evidence of his having been duly appointed; and every Man so sworn shall have full Power to act as a Constable within the Precincts of the University for which he shall be appointed, and Four Miles of the same University, for the Time expressed in the Certificate, unless he shall be sooner dis-

Chancellor
or Vice
Chancellor
of Univer-
sities may
appoint
Con-
stables.

¹ See further (*infra*) as to Oxford Police 31 & 32 Vict. c. lix, 44 & 45 Vict. c. xxxix, and Art. XXVIII of the Oxford Order, 1889, confirmed by 52 & 53 Vict. c. xv; and as to Cambridge Police 19 & 20 Vict. c. xvii. ss. 51-55, and 57 & 58 Vict. c. lx. s. 7.

A. D. 1825. missed therefrom by the Chancellor or the Vice-Chancellor for the Time being ; and shall, within the Precincts of the University, and Four Miles of the same, and during his Continuance in Office, be subject to the like Powers and Authorities of His Majesty's Justices of the Peace within the Limits of their respective Jurisdictions, as other Constables are subject to, and have and enjoy all such Powers and Authorities, Privileges, Immunities, and Advantages as any Constables¹ hath or shall have within his Constablewick: Provided always, that every such Constable, for any Act done by him in the Execution of his Office, shall be liable to be sued or indicted in the Courts of Common Law, notwithstanding such Constable may be a Member of the University, and notwithstanding any Claim of Cognizance or Privilege whatsoever.

In Absence
of Chan-
cellor and
Vice-Chan-
cellor,
Deputy
may act.
Punishing
Prostitutes.

II. And be it further enacted, That in the Absence of the Chancellor and Vice-Chancellor, it shall be lawful for any Pro Vice-Chancellor, or Deputy Vice-Chancellor, to execute the Powers given by this Act.

5 Geo. 4,
c. 83.

III. And be it further enacted, That every common Prostitute and Night-walker, found wandering in any Public Walk, Street, or Highway, within the Precincts of the said University of *Oxford*, and not giving a satisfactory Account of herself, shall be deemed an idle and disorderly Person, within the true Intent and Meaning of an Act passed in the last Session of Parliament, intituled *An Act for the Punishment of idle and disorderly Persons, and Rogues and Vagabonds, in that Part of Great Britain called England*, and shall and may be apprehended and dealt with accordingly.²

Public Act.

IV. And be it further enacted, That this Act shall be deemed to be a Public Act ; and shall be judicially taken Notice of as such by all Judges, Justices, and other Persons whomsoever, without being specially pleaded.

¹ *Sic*.

² This section is extended to Cambridge University by 57 & 58 Vict. c. lx. s. 6 (*infra*). By 5 Geo. 4, c. 83, s. 3, any Justice of the Peace may commit any 'idle and disorderly Person' '(being thereof convicted before him by his own View, or by the Confession of such Offender, or by the Evidence on Oath of One or more credible Witness or Witnesses) to the House of Correction, there to be kept to hard Labour for any Time not exceeding One Calendar Month'.

6^o GEO. IV. *Cap. 70.*¹

An Act to repeal an Act passed in the Third Year A. D. 1825. of King *George* the Third, to enable the Master, Fellows, and Scholars of *Clare Hall* in the University of *Cambridge*, to vary the Benefaction of Doctor *Blyth*.² [22d June 1825.]

[This Act recites that by 45 Geo. 3. c. 101 (*supra*) the restriction on the number of advowsons to be held by the College has been removed; repeals 3 Geo. 3. c. 35 (*supra*); re-enacts the provisions for augmentation of the Vicarages of Great Gransden and of Everton with Tetworth until those livings shall be of the value of £200 a year; and provides that the residue of the income shall be applied according to Dr. Blyth's will.]

7^o GEO. IV. CAP. XLIV.

An Act to allow, until the Tenth Day of *October* A. D. 1826. One thousand eight hundred and twenty-six, the Enrolment of certain Articles of Clerkship; to prevent Attornies and others from being prejudiced in certain Cases by the Neglect to take out their annual Certificates; to prohibit the stamping Articles of Clerkship after a certain Time; and to extend the Period for taking out Certificates after Matriculation at the Universities.³

[26th May 1826.]

¹ Private Act not printed. The original Act is No. 258.

² This Act was repealed by 29 & 30 Vict. c. 2 (*infra*) if and when the vicarages of Great Gransden and of Everton should have been raised to the value of £200 a year.

³ This Act was repealed by 33 & 34 Vict. c. 99. Section 5 had been previously superseded first by 6 & 7 Vict. c. 73. s. 7 (*infra*), and subsequently by 23 & 24 Vict. c. 127. s. 2 (*infra*), which repealed the last cited section.

A. D. 1826.

1 & 2 G. 4
c. 48.¹

V. And whereas by an Act passed in the First and Second Years of the Reign of His present Majesty, intituled *An Act to amend the several Acts for the Regulation of Attornies and Solicitors*, it was enacted that certain Persons in the said Act mentioned, who had taken certain Degrees therein also mentioned at either of the Universities of *Oxford, Cambridge, or Dublin*, should, after a Service of Three Years to a Solicitor or Attorney in the Manner by the said Act directed, be qualified to be admitted and inrolled an Attorney or Solicitor in the several Courts of Law or Equity; provided such Persons should have taken their Degree of Bachelor of Arts within Six Years next after their Matriculation at such Universities, or Bachelor of Law within Eight Years after their Matriculation at such Universities: And whereas it is expedient that such Proviso should not apply to such Persons who had taken such Degrees previous to the passing of the said Act; be it enacted, That every Person who shall have taken his Degree of Bachelor of Arts, or Bachelor of Law, at either of the said Universities, previous to the passing of the said recited Act, and who since the passing thereof shall have duly served as a Clerk, by Contract in Writing, duly stamped at or before the signing thereof, or within Six Months afterwards, to an Attorney or Solicitor, for the Term of Three Years, as by the said recited Act is directed, shall be qualified to be sworn and to be admitted and enrolled as an Attorney or Solicitor respectively, according to the Nature of his Service, in the several and respective superior Courts of Law or Equity at *Westminster*, as fully and effectually, to all Intents and Purposes, as any Person having been bound, and having served Five Years, is qualified to be sworn, and to be admitted or enrolled an Attorney or Solicitor under or by virtue of any Act or Acts now in force for the Regulation of Attornies or Solicitors in *England*; any thing in the said Acts, or any

Any Person who had taken a Degree at Oxford, Cambridge, or Dublin, previous to the passing of the recited Act, and has since duly served as a Clerk for Three Years, may be admitted to act as an Attorney or Solicitor.

¹ *Supra.*

of them, to the contrary thereof in anywise notwithstanding. A. D. 1826.

7^o & 8^o GEO. IV. CAP. LXXV.

An Act to appoint Commissioners for carrying into A. D. 1827.

Execution several Acts granting an Aid to His Majesty by a Land Tax to be raised in *Great Britain*, and continuing to His Majesty certain Duties on Personal Estates, Offices, and Pensions, in *England*.¹ [23d June 1827.]

[Among the Commissioners appointed by this Act are the following.]

For the University of Cambridge.

The Vice Chancellor for the Time being, the Representatives in Parliament for the Time being, the Heads and Presidents of all Colleges and Halls for the Time being, all Doctors in Divinity, all Doctors of Laws and Physic resident in the University and the Liberties thereof, the Proctors and Bedels for the Time being.

.

For the University of Oxford.

The Vice Chancellor, Heads of Houses, all Professors and Proctors for the Time being, the Keeper of Bodleian and Keeper of Radclivian Libraries for the Time being, the Right Honourable Sir William Scott Knight, Sir Charles Mordaunt Baronet, Wriotesley Digby, Robert Bourne M.D., William Lloyd L.L.B. John Gutch M.A., George Valatine² Cox M.A., Robert Hall L.L.B., William Rhodes M.A., John Ireland, John Bull.

¹ Several Acts have since been passed appointing additional Land Tax Commissioners. For one of these, which added an *ex officio* Commissioner at Oxford, see 29 & 30 Vict. c. 59 (*infra*). The others appoint persons by name, and in 32 & 33 Vict. c. 64 and subsequent Acts the names are not set out in the Acts, but in schedules signed by and deposited with the Clerk of the House of Commons.

² *Sic.*

7^o & 8^o GEO. IV. Cap. xlvii.

A. D. 1827. An Act for improving the Drainage of Part of the South Level of the Fens within the Great Level commonly called *Bedford Level*, and the Navigation of the Rivers passing through the same, in the Counties of *Cambridge*, *Suffolk*, and *Norfolk*, and in the *Isle of Ely*. [28th May 1827.]

[Section 2 appoints to carry the Act into execution bodies to be called 'The Drainage Commissioners' and 'The Navigation Commissioners'. The Navigation Commissioners consist of 'the Vice Chancellor of the University of *Cambridge* for the Time being, or a Deputy to be appointed by Writing under his Hand; a Deputy to be appointed by the Conservators of the River *Cam* for the Time being, under an Order made at some public Meeting of the said Conservators; the Mayor of *Cambridge* for the Time being; the Mayor of *Lynn* for the Time being; the Alderman for the Time being of *Bury Saint Edmunds*; a Deputy to be appointed in Writing under the Hand or Hands of the Proprietor or Proprietors of the private Navigation on the River *Lark*'; together with certain persons appointed by name.

Section 145 declares the Act to be a public Act.]

7^o & 8^o GEO. IV. Cap. cxi.

An Act for building a new Gaol for the Town of *Cambridge*, and for other Purposes connected therewith.¹ [23d June 1827.]

[Section 1 authorizes the Justices of the Peace for the Town of *Cambridge* to erect a new gaol.

¹ This Act was amended by 2 & 3 Vict. c. ix (*infra*). By the Prison Act, 1877 (40 & 41 Vict. c. 21 (*infra*) the property in, and management and control of prisons were transferred to the Secretary of State, and the cost of maintenance was directed to be defrayed out of moneys provided by Parliament.

Section 2 authorizes them to purchase a site for the pur- A. D. 18:7.
pose ; but subject to *inter alia* the following proviso.]

. . . Provided also, that nothing in this Act contained shall extend to the taking in of any of the Grounds, Walks, Gardens, or Lands belonging to the Chancellor, Masters, and Scholars of the University of *Cambridge*, or to any of the Colleges or Halls in the same, or to give Power to purchase any Land or Ground for the Purposes aforesaid, or to build or erect any such Gaol and House of Correction, within the Distance of Two hundred Yards from the Sites of any of the public Buildings belonging to the said University or any of the Colleges or Halls, or the Plantations, Pleasure Ground, Walks, or Gardens belonging to the same, without the express Licence and Consent of the said Chancellor, Masters, and Scholars of the said University, or of such College or Hall, first had and obtained under their respective Common Seal. . . .

XXIV. Provided always, and be it further enacted, That no public Buildings, or the Sites thereof, with the Appurtenances, nor any Colleges, Halls, or other Buildings, Woods, Gardens, Grounds, Walks, or Lands, with the Appurtenances, belonging to and in the actual Occupation and Manurance of the Chancellor, Masters, and Scholars of the University of *Cambridge*, or the Masters or other Heads, Fellows and Scholars of the several Colleges and Halls within the said University, or any or either of them, shall be rated towards the building of the said intended Gaol and House of Correction, which at the Time of passing this Act were legally exempted from the Liability of being rated towards the Repairs and Maintenance of the existing Common Gaol and House of Correction of the Town of *Cambridge*; and that in case any Rate shall hereafter be made on the said Chancellor, Masters, and Scholars, or on the Masters or other Heads, Fellows and Scholars of the said several Colleges or Halls within the said University, or any or either of them, in respect of any of the before-mentioned public Buildings and other Premises or any Part thereof, that then and in every such Case the Liability to

Exempting
the Univer-
sity from
Payment
of Rates,
if legally
exempt
therefrom
at the Time
of passing
this Act.

A. D. 1827. be rated in respect to any such Premises shall and may be litigated, contested, tried, and determined, in the same Manner, to all Intents and Purposes whatsoever, as if this Act had not been made and passed; and this Act shall not be construed to extend to make the said Chancellor, Masters, and Scholars of the said University, and the Masters or other Heads, Fellows and Scholars of the said several Colleges and Halls within the said University, liable to pay any Rates to be levied and paid under this Act in respect of the before-mentioned Premises, unless they would have been so liable previous to the passing of this Act, to the Repairs and Maintenance of the existing Gaol and House of Correction.

Act not to
affect
Rights of
University
and Town
of Cam-
bridge.

LVI. And be it further enacted, That nothing in this Act contained shall extend or be construed to extend to take away, lessen, or diminish any of the Rights, Liberties, Immunities, Exemptions, Franchises, and Privileges of the Chancellor, Masters, and Scholars of the University of *Cambridge*, or any of the Colleges or Halls within the said University; or to lessen or diminish the Rights, Liberties, Immunities, Franchises, and Privileges of the Mayor, Bailiffs, and Burgesses of the Town of *Cambridge*; any thing herein contained to the contrary in any wise notwithstanding.

[Section 57 declares the Act to be a public Act.]

7^o & 8^o GEO. IV. *Cap.* 9.

An Act to enable the Trustees of the Estates devised by *William Hulme* Esquire to appropriate certain Parts of the accumulated Funds arising from the said Estates in the Purchase of Advowsons; and for other the Purposes therein mentioned.¹

[28th May 1827.]

[This Act recites 10 Geo. 3. c. 51 (*supra*), 35 Geo. 3. c. 62 (*supra*) and 54 Geo. 3. c. 205 (*supra*); and further that

¹ For subsequent legislation with regard to the Hulme Foundation see 2 & 3 Vict. c. 17 (*infra*) and 7 Edw. 7. c. cx (*infra*).

since the last Act exhibitioners not exceeding fifteen A. D. 1827. at one time had been appointed each receiving annually £120 for maintenance and lodging and £35 for the purchase of books ; that a lecturer had been appointed at a salary of £105 a year ; that the trustees had not been able, and saw no reasonable prospect of being able by purchase or otherwise to provide rooms or lodgings in Oxford for the Exhibitioners ; that the gross income of the trust estates was £3,291 17s. 11d. or thereabouts ; that the accumulated fund was £42,203 os. 4d. or thereabouts, producing an annual income £1,658 19s. 0d. or thereabouts, and the annual expenditure £3,828 os. 8d. or thereabouts.

The Act then authorizes the purchase of advowsons out of the savings interest or accumulations made or to be made of surplus income, not more than £7,000 to be paid for any one advowson and a surplus fund of £20,000 to be retained. Exhibitioners and ex-exhibitioners having taken the degree of bachelor of arts are to be presented to the livings. In default of presentation by the trustees within five months the Bishop of Chester is to present or collate a person qualified as above. Power is also given to the trustees to expend not more than £700 in building or improving the parsonage house of any living of which they purchase the advowson. No licence in mortmain is to be required for the purchases.]

9 GEO. IV. CAP. LX.

An Act to amend the Laws relating to the Im- A. D. 1828.
portation of Corn.¹ [15th July 1828.]

[Section 1 repeals certain previous Acts relating to the importation of corn, and ascertaining the average prices of British corn.

¹ This Act was repealed by 5 & 6 Vict. c. 14. s. 1 (*infra*), but fresh powers as to the appointment of inspectors were conferred by that Act.

A. D. 1828.

Section 8 directs weekly returns to be made of the purchases and sales of British corn in certain Cities and Towns including London, Oxford, and Cambridge, and the appointment for that purpose of Inspectors of Corn Returns.

Sections 13-19 contain provisions as to the City of London.

Section 20 empowers the County Justices in Quarter Sessions to appoint and remove Inspectors of the other Cities and Towns.]

In Towns,
being
Counties
of them
selves,
Mayor and
Justices to
exercise
Powers
granted by
this Act.

XXI. Provided always, and be it further enacted, That within each and every of the Cities and Towns aforesaid, (other than the Cities of *London* and *Oxford*, and Town of *Cambridge*,) being a County of itself, or having an exempt Jurisdiction, and not contributing to the Rates of the County, Riding, or Division in which the same is situate, the Mayor or other Chief Officer, and the Justices of the Peace assembled at the General Quarter Sessions of any such City or Town, or at any Adjournment thereof, shall have, enjoy, and exercise all and every the Powers herein-before vested as aforesaid in the Justices of the Peace for the several and respective Counties, and Ridings or Divisions thereof as aforesaid, assembled at their General Quarter Sessions; and such Mayor or other Chief Officer shall, within such last-mentioned Cities and Towns, have, enjoy, and exercise the Powers herein-before vested as aforesaid in the Justices of the Peace for the said several and respective Counties, Ridings or Divisions thereof, assembled at any Petty Sessions; and that within the City of *Oxford* and the Town of *Cambridge*, all and every the Powers and Authorities aforesaid shall be and the same are hereby vested in the Chancellors, Masters, and Scholars, and their Successors, of the Universities of *Oxford* and *Cambridge* respectively, who shall have and enjoy, and are hereby authorized and required to exercise respectively, all and every such Powers and Authorities within the said City of *Oxford* and Town of *Cambridge* respectively.

In Oxford
and Cam-
bridge
Powers
vested in
Chan-
cellors, &c.

9^o GEO. IV. CAP. LXI.

A. D. 1828.

An Act to regulate the granting of Licences to Keepers of Inns, Alehouses, and Victualling Houses, in *England*. [15th July 1828.]

[This is now the main Act with regard to Justices licences.

Section 35 repeals *inter alia* 1 [2 (vulgo 1), Ruff.] Jac. 1. c. 9 (*supra*), 4 Jac. 1. c. 5 (*supra*), 26 Geo. 2. c. 31 (*supra*), and 32 Geo. 3. c. 59 (*supra*), and so much of 48 Geo. 3. c. 143 (*supra*) as relates to the form of Justices' Licences and to Justices' Clerks' fees, from and after the commencement of the Act, which was to be on the 10th of October, 1828.]

XXXVI. Provided always, and be it further enacted, That nothing in this Act contained shall extend to alter or in any Manner to affect any of the Rights or Privileges of the Universities of *Oxford* or *Cambridge*, or the Powers of the Chancellors or Vice Chancellors of the same, as by Law possessed under the respective Charters of the said Universities, or otherwise; . . .¹

10^o GEO. IV. CAP. VII.

An Act for the Relief of His Majesty's Roman Catholic Subjects. [13th April 1829.]

[The Act relieves Roman Catholics from several disabilities to which they were subject.]

XVI. Provided also, and be it enacted, That nothing in this Act contained shall be construed to enable any Persons, otherwise than as they are now by Law enabled, to hold, enjoy, or exercise any Office, Place, or Dignity of, in, or belonging to the United Church of *England* and *Ireland*, or the Church of *Scotland*, or any Place or Office whatever of, in, or belonging to any of the Ecclesiastical Courts

Not to extend to Offices &c. in the Established Church, or Ecclesiastical Courts, Universities, Col-

¹ As to the Vice-Chancellors' claim to license alehouses in Cambridge see 9 Ann. c. 16 [c. 23., Ruff.] s. 54 (*supra*) and 19 & 20 Vict. c. xvii. s. 8 (*infra*), and notes to those sections.

A. D. 1829. of Judicature of *England* and *Ireland* respectively, or any leges, or Schools; Court of Appeal from or Review of the Sentences of such Courts, or of, in, or belonging to the Commissary Court of *Edinburgh*, or of, in, or belonging to any Cathedral or Collegiate or Ecclesiastical Establishment or Foundation; or any Office or Place whatever of, in, or belonging to any of the Universities of this Realm; or any Office or Place whatever, and by whatever Name the same may be called, of, in, or belonging to any of the Colleges or Halls of the said Universities, or the Colleges of *Eton*, *Westminster*, or *Winchester*, or any College or School within this Realm; or to repeal, abrogate, or in any Manner to interfere with any local Statute, Ordinance, or Rule, which is or shall be established by competent Authority within any University, College, Hall, or School, by which Roman Catholics shall be prevented from being admitted thereto, or from residing or taking Degrees therein: Provided also, that nothing herein contained shall extend or be construed to extend to enable any Person, otherwise than as he is now by Law enabled, to exercise any Right of Presentation to any Ecclesiastical Benefice whatsoever; or to repeal, vary, or alter in any Manner the Laws now in force in respect to the Right of Presentation to any Ecclesiastical Benefice.¹

nor to Presentations to Benefices.

11^o GEO. IV. CAP. XXVII.

A. D. 1830. An Act to make Provision for the lighting and watching of Parishes in *England* and *Wales*.²
[17th June 1830.]

[The inhabitants of every parish in England may in vestry decide to adopt the Act, and appoint inspectors to provide 'Watch-house Keepers, Serjeants of the

¹ So much of this section as relates to any of the Universities of Oxford Cambridge and Durham or any college therein was repealed by 34 & 35 Vict. c. 26. s. 8 (*infra*).

² This Act was repealed by 3 & 4 Will. 4. c. 90. s. 1 (*infra*).

Night, Watchmen, Patrols, Streetkeepers, and other Persons' for the protection of the inhabitants and their property by night and day, and fire engines, gas or oil lamps and lamp posts, gas mains and pipes at the cost of the rates.] A. D. 1830.

LXI. Provided always, and be it further enacted, That nothing in this Act contained shall extend to alter or in any Manner to affect any of the Rights or Privileges of the Universities of *Oxford* or *Cambridge*, or any of the Powers vested by Charter or otherwise in the Chancellors, Masters, and Scholars, and their Successors, of the said Universities.¹ nor to affect the Univer-
sities.

¹ As to the powers of the Universities with respect to police see 6 Geo. 4, c. 97 and note thereto (*supra*); see also as to joint police for University and Town at Cambridge 19 & 20 Vict. c. xvii. ss. 51-55 (*infra*), at Oxford 31 & 32 Vict. c. lix (*infra*) and 44 & 45 Vict. c. xxxix (*infra*).

END OF VOLUME II

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